UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.159/SR.374
11 July 1990

ORIGINAL: ENGLISH

AD HOC COMMITTEE ON THE INDIAN OCEAN

SUMMARY RECORD OF THE 374th MEETING

Held at Headquarters, New York,
on Monday, 9 July 1990, at 10.30 a.m.

Chairman: Mr. PERERA (Sri Lanka)

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Implementation of General Assembly resolution 44/120 (continued)

(a) Work on the substantive and organizational issues related to the Conference on the Indian Ocean in accordance with paragraphs 6, 7, 8, 9 and 10 of resolution 44/120

(b) Report of the Ad Hoc Committee to the General Assembly at its forty-fifth session on the implementation of resolution 44/120

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Any corrections to the records of this meeting and of other meetings will be issued in a corrigendum.

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The meeting was called to order at 11.10 a.m.

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 44/120 (continued)

(a) WORK ON THE SUBSTANTIVE AND ORGANIZATIONAL ISSUES RELATED TO THE CONFERENCE ON THE INDIAN OCEAN IN ACCORDANCE WITH PARAGRAPHS 6, 7, 8, 9 AND 10 OF RESOLUTION 44/120

(b) REPORT OF THE AD HOC COMMITTEE TO THE GENERAL ASSEMBLY AT ITS FORTY-FIFTH SESSION ON THE IMPLEMENTATION OF RESOLUTION 44/120

Draft provisional rules of procedure of the United Nations Conference on the Indian Ocean (continued) (A/AC.159/L.61; A/AC.159/1985/CRP.2)

I. Representation and credentials (rules 1-5)

1. Mr. JAIN (India) said that his delegation understood the Ad Hoc Committee to have adopted rule 1, as amended, at its previous meeting, and recalled that the Committee had before it his delegation's proposal for a new paragraph 4 (bis).

2. Ms. COURTNEY (Australia) said that the Committee had not yet adopted any of the draft provisional rules of procedure; it was still working through them to determine where there was agreement and where there was not. The question of the Credentials Committee could not be dealt with until it was known which States would participate in the Conference, a point which would need to be addressed by the Ad Hoc Committee. Her delegation wondered whether rule 29 of the rules of procedure of the General Assembly might not be more appropriate than paragraph 4 with the amendment proposed by India.

3. The CHAIRMAN said that the Ad Hoc Committee was conducting its first reading of the draft provisional rules of procedure, and had not yet taken any final decisions.

4. Mr. JAIN (India) said that rule 29 of the General Assembly's rules of procedure corresponded more closely to rule 5 of the draft provisional rules of the Conference. The point was that if there was any objection to participation in the Conference, the matter would need to be decided forthwith by the Credentials Committee, given the limited time available.

5. Mr. NOETZEL (German Democratic Republic) said that the concerns expressed by the representative of Australia could, perhaps, be met by stating, in rule 4, that the composition of the Credentials Committee would be generally based on that of the Credentials Committee of the General Assembly. An alternative would be simply to follow the rules of the General Assembly.

6. Mr. JAYASINGHE (Sri Lanka) said that while the Ad Hoc Committee might not be able to adopt any of the draft provisional rules of procedure immediately, it could identify those rules on which there was agreement. Various rules of procedure were

(Mr. Jayasinghe, Sri Lanka)

interlinked, so that it would be useful to indicate them during the first reading and, in due course, consider them together. With respect to rule 4, his delegation agreed with that of India, given the brevity of the Conference.

7. The CHAIRMAN agreed that it might be useful for the Ad Hoc Committee to identify those rules concerning which there was no controversy, without adopting them for the time being.

8. Ms. COURTNEY (Australia) said that it would be more appropriate to concentrate on identifying the areas of disagreement, since the Ad Hoc Committee might need to change other areas once it had reached agreement on controversial rules. Although it foresaw some difficulties with regard to the Credentials Committee, her delegation was ultimately prepared to accept the Indian proposal concerning rule 4. The proposal made by the German Democratic Republic was constructive, but there was still a difficulty in that if participation in the Conference was limited to regional States and to other members of the Ad Hoc Committee, the basis would be much narrower than the five regional groups represented in the Assembly.

9. Mr. JAYASINGHE (Sri Lanka) drew the Ad Hoc Committee's attention to a 1985 decision that the Chairman should produce a rule-by-rule summation during the Ad Hoc Committee's consideration of the draft provisional rules of procedure, a practice which would help to ensure continuity. The Australian proposal to record areas of non-agreement was acceptable, on the understanding that the absence of any such record would indicate that agreement had been reached.

10. Mr. JAIN (India) said that the Ad Hoc Committee should strive to follow a uniform approach in its consideration of the draft framework of the provisional agenda and the draft provisional rules of procedure. With regard to the latter, the Ad Hoc Committee should follow a rule-by-rule approach and adopt those on which there was agreement. If there was no agreement, the Committee would move on and return to the outstanding issues following appropriate negotiations. There seemed to be agreement on rules 1, 2, 3 and 5, leaving only rule 4, and even there all seemed able to accept his delegation's proposed amendment.

11. Mr. HADI (Indonesia) said that his delegation had no objection to the Indian proposal to amend rule 4. With regard to the suggestion that rule 29 of the General Assembly's rules of procedure should figure in the draft provisional rules of procedure of the Conference, it would be more appropriate for it to replace rule 5.

12. Ms. COURTNEY (Australia) said that her delegation could accept a rule-by-rule summation, but was not prepared to adopt any of the rules until the text as a whole had been discussed and a final version was before the Committee.

13. Mr. AL-ZADGALY (Oman) said that his delegation supported the proposed new paragraph 4 (bis) as reflecting the established practice of United Nations conferences.

14. Mr. JAYASINGHE (Sri Lanka) said that all the members of the Ad Hoc Committee seemed prepared to accept the Indian proposal, in view of which the Committee might now move on.

15. Mr. HADI (Indonesia) said that no decision had been taken concerning his delegation's proposal to replace rule 5 by rule 29 of the Assembly's rules of procedure.

16. The CHAIRMAN said that that point would be dealt with in his summation.

17. Mr. JAYASINGHE (Sri Lanka) said that his delegation could accept the Indonesian proposal. The words "General Assembly" in rule 29 would, of course have to be replaced by the word "Conference".

18. The CHAIRMAN said that it seemed that there was no further disagreement on section I and that the Committee could move on to section II.

II. Officers (rules 6 to 9)

19. Mr. JAIN (India) drew attention to the amendment to rule 6 proposed by his delegation in document A/AC.159/1985/CRP.2.

20. Mrs. MULAMULA (United Republic of Tanzania) said that, while the draft provisional rules of procedure were patterned on those of the General Assembly, she was not sure whether there was a need for each Main Committee of the Conference to have a Rapporteur. If necessary, the Chairman of each Main Committee could present the report on its behalf.

21. Mr. AL-ZADGALY (Oman) noted that the agenda item on the confirmation of the nomination of the Secretary-General of the Conference, adopted by the Committee the preceding week, was not reflected in rule 6.

22. The CHAIRMAN explained that since the Conference would be held under the auspices of the United Nations, it would confine itself to confirming the Secretary-General nominated by the Secretary-General of the United Nations.

23. Mr. JAYASINGHE (Sri Linka) requested clarification of the amendment proposed by India. Specifically, he wished to know whether the "representative character" of the General Committee was to be achieved through the equitable geographical distribution of seats.

24. Mr. JAIN (India) pointed out that his delegation's proposal was in line with rule 31 of the rules of procedure of the General Assembly, which also specified that elections were to be carried out "in such a way as to ensure the representative character of the General Committee". The rules of procedure of the General Assembly did not elaborate on how that was to be achieved, and neither should the Ad Hoc Committee attempt to do so at the current stage. The Conference was of primary concern to the littoral and hinterland States of the Indian Ocean, and to its maritime and military users, and in consequence the Ad Hoc Committee did

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(Mr. Jain, India)

not yet know the actual geographical distribution of the States which would participate. An "equitable geographical distribution" would be one important factor in the election of the officers.

25. He also pointed out that the number of Vice-Presidents had been left blank in the draft rule. He wondered whether the Conference should have a similar number of Vice-Presidents as the General Assembly.

26. Mr. JAYASINGHE (Sri Linka) felt that the Committee should not attempt to specify the number of Vice-Presidents before completing its first reading of the rules of procedure.

27. Mr. AL-ZADGALY (Oman) endorsed the amendments to rule 7 proposed by the United Arab Emirates in document A/AC.159/1985/CRP.2.

28. Mr. JAYASINGHE (Sri Linka) pointed out that rule 7 was identical to rule 32 of the rules of procedure of the General Assembly. His delegation nevertheless had no objection to the proposed change.

29. Mr. KRASULIN (Union of Soviet Socialist Republics) said he, too, had no objection to the proposed amendment. However, the draft rules of procedure were based on the rules of procedure of the General Assembly, which had been tried and tested over a long period. He therefore had doubts about the wisdom of attempting to change the wording of the existing rules, especially in view of the time constraints facing the Committee.

30. Mr. JAYASINGHE (Sri Linka) said that the rules of procedure for the Conference should be patterned as closely as possible on those of the General Assembly. The Committee should go through the rules of procedure rapidly with a view to identifying those points on which there was still substantive disagreement.

31. The CHAIRMAN urged the Committee to consider carefully whether any changes were really necessary.

32. Mr. JAIN (India) pointed out that the amendment to rule 7 proposed by his delegation would bring the rule more closely into line with rule 32 of the rules of procedure of the General Assembly. However, his delegation was prepared to accept either version of rule 7.

33. Mr. MAHMOUD (Pakistan) and Mr. AL-ZADGALY (Oman) said that it was entirely appropriate to consider proposals for amending the draft provisional rules of procedure in document A/AC.159/L.61 since that draft was only provisional.

34. Mr. KRASULIN (Union of Soviet Socialist Republics) said that he had not intended to suggest that the Committee could not amend the draft provisional rules of procedure. He had merely wished to draw attention to the fact that the Committee was very short of time.

35. Mr. SHA Zukang (China) urged members to focus on those points with regard to which there were still differences of opinion, namely, participation and decision-making.

36. Mr. ALAKWAH (Yemen) said that his delegation could accept rule 7 as it stood, but was also prepared to accept the proposed amendment.

37. The CHAIRMAN said that there seemed to be general agreement on the amendment to rule 6, proposed by India in document A/AC.159/1985/CRP.2. The representative of Tanzania had questioned the need for each Main Committee to have a Rapporteur.

38. Mr. JAYASINGHE (Sri Lanka) suggested that the Committee might wish to take into account in that connection the practice of the Third United Nations Conference on the Law of the Sea.

39. Mr. KRASULIN (Union of Soviet Socialist Republics) said that it would be helpful if a representative of the Office of Legal Affairs were present at the Committee's meetings in order to provide guidance on such matters.

40. Mr. NOETZEL (German Democratic Republic) felt that rule 6 was intimately linked with rule 44, and proposed that the two rules should be discussed together.

41. Mrs. MULAMULA (United Republic of Tanzania) said that the Secretariat would be able to determine whether each Main Committee would require a Rapporteur.

42. Mr. JAIN (India) said that no delegation had opposed the proposal made by the representative of the United Republic of Tanzania. As a general rule, if a delegation made a proposal which was not opposed, it should be assumed that the members of the Committee accepted that proposal. With regard to rule 6, the Committee should try to determine the number of Vice-Presidents to be elected by the Conference, and he suggested that the number should be the same as for the General Assembly, namely 21.

43. Mr. HADI (Indonesia) said that the number of Vice-Presidents should be left blank until the number of delegations participating in the Conference was known.

44. Mr. JAYASINGHE (Sri Lanka) said that, since the Conference was being held under United Nations auspices, all States Members of the United Nations would be invited to participate. He therefore agreed with the representative of India that there should be 21 Vice-Presidents.

45. Mr. JAIN (India) said that, although all States Members of the United Nations would be invited to attend the Conference, the actual number of participants would not be known until the Conference was convened at Colombo. Nevertheless, the decision by some countries not to participate should not have any bearing on the number of Vice-Presidents to be elected.

46. Mr. NAIMA-ARFA (Islamic Republic of Iran) said that his delegation preferred that the number of Vice-Presidents should be determined without further ado.

47. The CHAIRMAN said that, if he heard no objection, he would take it that the blank before the word "Vice-Presidents" in rule 6 should be replaced by the number 21.

48. It was so decided.

49. Mr. JAYASINGHE (Sri Lanka) proposed that the words "and a Rapporteur" should be deleted from the last sentence of rule 6.

50. Mr. HADI (Indonesia) said that, since rule 6 was related to rule 44, the Committee should decide how many Main Committees and how many working groups should be established. In his opinion, only one Main Committee and three working groups were necessary.

51. Mr. MAHMOOD (Pakistan) said that, if the Committee decided to establish one Main Committee and three working groups, a Rapporteur should also be appointed.

52. Mr. JAIN (India) said that Main Committees usually did not have a Rapporteur unless there was a valid reason to appoint one. In the view of his delegation, there was no need to elect a Rapporteur.

53. Mr. HADI (Indonesia) said that, according to the provisional agenda, the Conference would be considering three substantive items and three working groups would have to be established for each item. The Committee therefore had to take a decision on the number of Main Committees and working groups.

54. Mr. JAYASINGHE (Sri Lanka) said that the Committee had agreed that it would be necessary to establish three Main Committees to consider items 13, 14 and 15 of the provisional agenda. However, the Committee should not attempt to specify the number of Main Committees in the rules of procedure. The Committee's decision to recommend the establishment of three Main Committees should be contained in its report, which should also indicate that the Conference would have the authority to establish as many Main Committees as it deemed necessary.

55. Mr. JAIN (India) said that the Committee would not be in a position to determine the number of Main Committees until it had resolved a number of other issues.

The meeting rose at 12.55 p.m.

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Distr.
GENERAL

A/AC.159/SR.375
16 July 1990
ENGLISH
ORIGINAL: FRENCH

AD HOC COMMITTEE ON THE INDIAN OCEAN

SUMMARY RECORD OF THE 375th MEETING

Held at Headquarters, New York,
on Monday, 9 July 1990, at 3 p.m.

Chairman: Mr. PERERA (Sri Lanka)

CONTENTS

Implementation of General Assembly resolution 44/120 (continued)

(a) Work on the substantive and organizational issues related to the Conference on the Indian Ocean in accordance with paragraphs 6, 7, 8, 9 and 10 of resolution 44/120

(b) Report of the Ad Hoc Committee to the General Assembly at its forty-fifth session on the implementation of resolution 44/120

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The meeting was called to order at 3.35 p.m.

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 44/120 (continued)

(a) WORK ON THE SUBSTANTIVE AND ORGANIZATIONAL ISSUES RELATED TO THE CONFERENCE ON THE INDIAN OCEAN IN ACCORDANCE WITH PARAGRAPHS 6, 7, 8, 9 AND 10 OF RESOLUTION 44/120

(b) REPORT OF THE AD HOC COMMITTEE TO THE GENERAL ASSEMBLY AT ITS FORTY-FIFTH SESSION ON THE IMPLEMENTATION OF RESOLUTION 44/120

Draft provisional rules of procedure of the United Nations Conference on the Indian Ocean (continued) (A/AC.159/L.61; A/AC.159/1985/CRP.2)

1. The CHAIRMAN suggested that the consideration of the provisional rules of procedure should continue. He recalled that it constituted only a first reading aimed at reaching general agreement, and that the decisions would thus be taken at a later stage.

Rule 7

2. The CHAIRMAN recalled that the United Arab Emirates had proposed two amendments to rule 7, which were contained in document A/AC.159/1985/CRP.2. The last wording proposed was moreover used in rule 32 of the rules of procedure of the General Assembly.

3. Rule 7, as amended, was adopted.

Rule 8

4. Mr. HADI (Indonesia), comparing rule 8 with rule 34 of the rules of procedure of the General Assembly, said that the question of replacement appeared to arise above all for the President. The country of which he was a national should logically have a right to choose a replacement.

5. Mr. JAIN (India) pointed out that, while that right was indeed recognized in practice, it had never been explicitly mentioned in rules of procedure. He would therefore prefer to retain the original text.

6. Mrs. MULAMULA (Tanzania) pointed out that the right in question related simply to the submission of a candidacy. It was the Conference itself which would undertake the election.

7. Mr. HADI (Indonesia) said that his proposal should make it possible to avoid any difficulties. If the country itself chose the successor, the Conference would not need to be involved. He suggested that the words "the Conference" should be placed between brackets so as to imply that possibility.

8. Mr. ALAKWAA (Yemen) advocated retention of the existing wording.

9. Mr. KHERADI (Senior Adviser), speaking at the request of certain delegations, confirmed that it was indeed the Conference which conducted the elections, not the host country. Consequently, the existing text accurately reflected current practice. The Committee was obviously free to adopt the rules it wished, but the change in the present instance would relate to a matter of substance.

10. Mr. HADI (Indonesia) recalled that in principle, it was the name of the country of origin which was mentioned in reference to the officers of a body, not that of the individual.

11. Mr. JAIN (India) said that customarily, two types of situations arose. The President of a conference or the Chairman of a meeting was elected in his personal capacity, although the country of which he was a national had the right to designate a replacement in accordance with a generally accepted but unwritten principle. The Vice-Presidents, for their part, were elected on the basis of candidacies submitted by countries. Consequently, it would be better to retain the existing procedure, even if it was known in advance who would be elected.

12. Mr. MAHMOOD (Pakistan) pointed out that rule 8 did not specify that the replacement should be a national of the same country. If that was indeed the case, it should be specified so as to avoid any ambiguity.

13. Mr. ALAKWAA (Yemen), supported by Mr. JAYASINGHE (Sri Lanka), proposed that the two elements should be combined, namely that the right of the country in question to submit a new candidate and that of the Conference to approve that candidacy should be recognized.

14. The proposal was adopted.

Rule 9

15. Rule 9 was adopted.

Rule 10

16. Mr. JAIN (India) suggested that in the English text, the phrase "the Chairmen of any Main Committee" should be replaced, for stylistic reasons, by "the Chairmen of the Main Committees".

17. Rule 10, as amended, was adopted.

Rule 11

18. Rule 11 was adopted.

Rule 12

19. Mr. JAIN (India) proposed that the order of the two paragraphs should be reversed so as to follow a more logical sequence, in that the nomination of the Secretary-General should precede the description of his duties. Moreover, he wondered whether it was necessary to mention the Secretary-General of the United Nations, since his role would be essentially a ceremonial one. From the practical standpoint, it was the Secretary-General of the Conference who would supervise all the duties entrusted to the Secretariat.

20. Mr. HADI (Indonesia) supported that suggestion.

21. Mrs. MULAMULA (Tanzania) proposed that the various parts of the rule should appear in the following order: (1) the Secretary-General of the Conference appointed by the Secretary-General of the United Nations should act in that capacity in all meetings of the Conference and its subsidiary organs; (2) the Secretary-General of the Conference might designate a member ...; (3) the Secretary-General of the Conference should direct the staff required ... .

22. Mr. KHERADI (Senior Adviser), addressing his remarks to the representative of India, said that the original text took into account the structure of the Organization and the established hierarchical channels. That was why the Secretary-General of the United Nations was referred to also in rule 14. That reference was all the more justified in that, in the draft rules of procedure, the Conference was entitled "United Nations Conference on the Indian Ocean".

23. Mr. MAHMOOD (Pakistan) endorsed that view.

24. Mr. JAYASINGHE (Sri Lanka) submitted a proposal similar to that made by the representative of Tanzania.

25. MR. JAIN (India) said that it was perfectly normal to refer to the Secretary-General of the United Nations in a text based on rule 27 of the standard rules of procedure drawn up for United Nations conferences. The resulting text would be that proposed by the representative of Sri Lanka, but with a mention in the third part of the rule on the supervision exercised by the Secretary-General of the United Nations.

26. Mr. KHERADI (Senior Adviser) pointed out that the standard rules of procedure had never been approved by the General Assembly.

27. Mr. JAYASINGHE (Sri Lanka) considered there was no point in specifying that the Secretary-General of the Conference acted under the supervision of the Secretary-General of the United Nations.

28. Mr. JAIN (India) suggested the insertion of the words "nomination and" before "duties" in the title of the rule.

29. The CHAIRMAN suggested the addition of the words "of the Conference" after "Secretary-General".

30. Mr. ALAKWAA (Yemen) found the current title sufficiently explicit.

31. MR. JAYASINGHE (Sri Lanka) said that the title necessarily referred to the Secretary-General of the Conference, since the section in question was entitled "Secretariat of the Conference". He proposed the wording "Nomination and duties of the Secretary-General".

32. The CHAIRMAN, supported by Mrs. MULAMULA (United Republic of Tanzania), said that the addition of the words "of the Conference" would have the merit of eliminating any ambiguity.

33. Mr. ALAKWAA (Yemen) suggested that the title should read: "Appointment of the Secretary-General and his duties".

34. The CHAIRMAN suggested the following text based on the various suggestions made by delegations:

"Appointment and duties of the Secretary-General of the Conference

1. The Secretary-General of the Conference appointed by the Secretary-General of the United Nations shall act in that capacity in all meetings of the Conference and its subsidiary organs;

2. The Secretary-General of the Conference may designate a member of the Secretariat to act in his place at these meetings;

3. The Secretary-General of the Conference shall direct the staff required by the Conference."

35. Rule 12, as amended, was adopted.

Rule 13

36. Mr. JAYASINGHE (Sri Lanka) said that his country had proposed two amendments to rule 13, which were set out in document A/AC.159/1985/CRP.2. Moreover, he believed that the English text of subparagraph (a) was ambiguous.

37. The CHAIRMAN suggested that the Committee should accept the amendment concerning subparagraph (c), the insertion of a new subparagraph (f) (existing subparagraph (f) consequently becoming subparagraph (g)) as well as the new wording of the English version of subparagraph (a), which would read: "(a) provide interpretation for speeches at meetings".

38. It was so decided.

Rule 14

39. The CHAIRMAN, referring to the two Sri Lankan amendments set out in document A/AC.159/1985/CRP.2, suggested, after having consulted the Senior Adviser, that the Committee should defer consideration of rule 14 and the amendments thereto, pending receipt of the opinion requested from the Office of Legal Affairs.

40. It was so decided.

Rule 15

41. Mr. JAIN (India) said that it was hard to see how the Conference could be required under the rules of procedure to adopt a report. It was for the Conference to decide whether or not to adopt a report or any other document. In any event, a rule on the conclusions of the Conference should not be placed in the middle of the rules of procedure.

42. Mr. JAYASINGHE (Sri Lanka) said that the rule was appropriate, even although it might not be in the right place, because the rules of procedure should specify that the Conference must adopt a final document for submission to the General Assembly; the designation of the document (for example, general declaration or report) was of little importance.

43. Mrs. MULAMULA (United Republic of Tanzania) said that rule 15 was unnecessary and should not be included in the rules of procedure, since the adoption of a report at the end of a conference was one of the items on the agenda of the Conference.

44. The CHAIRMAN suggested that consideration of rule 15 should be deferred.

45. It was so decided.

Rule 16

46. Mr. JAIN (India) proposed that the text should be changed in accordance with the Indian proposal set out in document A/AC.159/1985/CRP.2.

47. Mr. JAYASINGHE (Sri Lanka) read out the amendment proposed by his delegation, as set out in document A/AC.159/1985/CRP.2. In his view, the distinction between procedural matters and substantive matters in connection with the quorum, as reflected in the two amendments, should be considered in the light of section VII, on decision-making.

48. Mr. MAHMOOD (Pakistan) endorsed the view expressed by the representative of Sri Lanka.

49. Mr. JAIN (India) said that the two amendments were quite similar, since they both indicated a need for a larger quorum when matters of substance were considered. It was a different matter to specify the majority required in a vote,

(Mr. Jain, India)

as in rule 32. None the less, his delegation would not oppose linking consideration of the two amendments on decision-making before the Committee, if other delegations wished to do so.

50. Mrs. MULAMULA (United Republic of Tanzania) suggested that the existing text of rule 16 should be retained.

51. Mr. HADI (Indonesia) suggested that the Sri Lankan and Indian amendments should be added at the end of rule 16, one after the other.

52. Mr. ALAKWAA (Yemen) said that it would be preferable to defer consideration of rule 16.

53. The CHAIRMAN suggested that the Committee should resume consideration of rule 16 and the amendments thereto once it took up consideration of the issue of decision-making.

54. It was so decided.

Rule 17

55. Mr. JAIN (India) said that his country had proposed an amendment to rule 17, which was set out in document A/AC.159/1985/CRP.2.

56. Mr. JAYASINGHE (Sri Lanka) said that his country had proposed a similar amendment, which was set out in the same document.

57. The CHAIRMAN suggested that the words "put questions to the vote and announce decisions" should therefore be replaced by the words "put questions for decision and announce such decisions".

58. Mr. CURE (Mauritius) asked whether that meant that the President could not put questions to the vote.

59. Mr. MAHMOOD (Pakistan) asked whether the word "decision" also covered decisions to put a question to the vote.

60. Mr. JAYASINGHE (Sri Lanka) replied that decisions could be taken in a variety of ways. For example, they could either be taken by consensus or they could be put to a vote.

61. Mr. AL-ZADGALY (Oman) said that, generally speaking, the President could put questions for decision but it was for the Conference to decide whether a given question should be put to the vote.

62. Rule 17, as amended, was adopted.

63. Mr. KHERADI (Senior Adviser), referring to the question of the opening of the Conference and the temporary President, said that there was no need to include a rule on the subject in the rules of procedure.

Rule 18

64. Rule 18 was adopted.

Rule 19

65. Mr. JAIN (India) said that his country had proposed an amendment to rule 19, paragraph 3, which was set out in document A/AC.159/1985/CRP.2.

66. Rule 19, as amended, was adopted.

Rules 20 and 21

67. Rules 20 and 21 were adopted.

Rule 22

68. Mr. JAYASINGHE (Sri Lanka) said that his country had proposed that rule 22, paragraph 2, should be replaced by the new text set out in document A/AC.159/1985/CRP.2.

69. Mr. JAIN (India) proposed that the word "normally" should be inserted into the Sri Lankan amendment, between the word "shall" and the words "be made at the end".

70. Mr. JAYASINGHE (Sri Lanka) said that he had no difficulty in accepting that proposal.

71. Rule 22, as amended, was adopted.

Rule 23

72. Mr. JAYASINGHE (Sri Lanka) said that his country had proposed a minor correction in the English text of rule 23, as set out in document A/AC.159/1985/CRP.2.

73. Rule 23, as amended, was adopted.

Rules 24 to 27

74. Rules 24 to 27 were adopted.

Rule 28

75. Mr. AL-ZADGALY (Oman) asked whether the term "any representative" applied to all participants, including observers.

76. Mr. JAYASINGHE (Sri Lanka) replied that the term "representative" was defined in rule 1.

77. Rule 28 was adopted.

Rules 29 and 30

78. Rules 29 and 30 were adopted.

The meeting rose at 5.50 p.m.

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General Assembly

Distr.
GENERAL

A/AC.159/SR.376
12 July 1990

ORIGINAL: ENGLISH

AD HOC COMMITTEE ON THE INDIAN OCEAN

SUMMARY RECORD OF THE 376th MEETING

Held at Headquarters, New York,
on Tuesday, 10 July 1990, at 10.30 a.m.

Chairman: Mr. PERERA (Sri Lanka)

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(a) WORK ON THE SUBSTANTIVE AND ORGANIZATIONAL ISSUES RELATED TO THE CONFERENCE ON THE INDIAN OCEAN IN ACCORDANCE WITH PARAGRAPHS 6, 7, 8, 9 AND 10 OF RESOLUTION 44/120

(b) REPORT OF THE AD HOC COMMITTEE TO THE GENERAL ASSEMBLY AT ITS FORTY-FIFTH SESSION ON THE IMPLEMENTATION OF RESOLUTION 44/120

Draft report (A/AC.159/L.104)

1. Mr. RAKOTONDRAMBOA (Madagascar) (Rapporteur), introducing the draft report, said that part I included a reference to the withdrawal of three members from the Ad Hoc Committee and listed the remaining members. Part II, relating to the work of the Committee, contained a statement agreed upon by the Committee concerning its organizational work. Both parts of the report dealt with procedural matters, in view of which he trusted that it would be received without controversy.

2. Mr. AL-ALFI (Yemen) said that the Rapporteur had omitted one important development, namely the unification of Yemen, which had created a consequential vacancy on the Committee. The vacancy should be duly announced so that the membership could be maintained at the level established in the relevant resolutions. Further, the Rapporteur had adopted the format of the report to the General Assembly at its forty-fourth session, which had reflected a special situation and should not serve as a model. In particular, there was no draft resolution submitted by the non-aligned movement in the document before the Committee.

3. Mr. JAYASINGHE (Sri Lanka) agreed that the unification of Yemen should be mentioned in the draft report. Discussions on a draft resolution were due to be held very soon.

4. Mr. HADI (Indonesia) said that paragraph 3 of the draft report, while referring to the withdrawal of the three Western nuclear Powers, did not reflect the non-participation of other Western States in the work of the Ad Hoc Committee. Accordingly, he proposed the addition of the wording: "In addition some Western countries have expressed their intention not to participate in the work of the Committee".

5. The CHAIRMAN said that it was his intention to invite discussion of the draft report at a later meeting.

6. Mr. AL-ALFI (Yemen) said that the Secretariat should take note of the comments made and prepare a revised text by the following day.

7. The CHAIRMAN said that the Secretariat had taken note of the comments made, in particular the need for an explicit reference to the vacancy arising as a result of the unification of Yemen. The Committee would continue its consideration of the draft report at a subsequent meeting.

Draft provisional agenda for the United Nations Conference on the Indian Ocean (continued)

8. The CHAIRMAN drew attention to the informal paper which had been circulated to members containing the draft provisional agenda and said that the Committee had before it a proposal to delete the first title contained between square brackets under item 13 and to adopt the second title appearing under the item.

9. Mr. JAIN (India) said that the Committee had begun its preparations for the Conference by considering the draft provisional agenda, on which it had not been possible to reach agreement, and had then moved on to the draft provisional rules of procedure, but had considered only some of those rules, and it had yet to start its consideration of substantive issues. All three elements of the Committee's work should be accorded equal treatment. The Committee should now continue with the draft rules of procedure and then move on to substantive matters.

10. The CHAIRMAN said that it had been decided by consensus to resume consideration of the draft provisional agenda at the current meeting. Delegations should express their views on the second title in square brackets under item 13.

11. Mr. JAIN (India) said that it was not clear to his delegation why the Committee was resuming its consideration of the draft provisional agenda when little progress had been made in other areas, unless it was the intention to adopt the draft provisional agenda there and then. If, on the other hand, the aim was simply to see where agreement had been reached, the procedure applied to other documents under consideration should be followed. In any event, his delegation was unaware of any decision to revert to consideration of the draft provisional agenda at the current meeting. There was, however, agreement to adopt a flexible approach to the organization of work.

12. Mr. HADI (Indonesia) said that it was his delegation's understanding that consideration of the draft provisional agenda had been deferred to the current meeting to allow delegations time to consult their Governments.

13. Mr. AL-ALFI (Yemen) said that it was fortunate that the Ad Hoc Committee had decided to hold formal meetings, since that made it possible to verify what had actually occurred. It was his understanding that consideration of the draft provisional agenda had never been linked to progress on any other item before the Committee. However, the real issue was that if some countries had difficulties then the Committee could attempt to accommodate them so as to ensure that momentum was maintained. It was quite improper to suggest that there should be linkage between progress in different areas.

14. Mr. KATSIGAZI (Uganda) said that it was his delegation's understanding, too, that consideration of the draft provisional agenda had been deferred to the current meeting to allow time for consultations. The Committee should seek to make progress in those areas where it could; it might be possible for the Committee to finish its consideration of the draft provisional agenda.

15. Mr. JAYASINGHE (Sri Lanka) said that the draft provisional agenda, which was essentially a non-aligned document, had been before the Ad Hoc Committee for several years. Unfortunately the Committee had a history of being held to ransom. Now that some of those impediments had been removed, it was regrettable that new ones had arisen from unexpected quarters. His delegation did not agree to any linkage, since that would mean that no progress could be made. With regard to the draft provisional agenda, and more specifically item 13, consensus was close. Only one delegation had difficulty, and that delegation was now seeking to introduce linkage, which would give rise to procedural difficulties of the kind that had characterized the Ad Hoc Committee's work in the past.

16. Mr. AL-ALFI (Yemen) recalled that when he had proposed the previous week that the Committee should make more use of formal meetings, he had also said that the Committee should meet informally whenever serious disagreements arose. The document under discussion was a non-aligned paper, and he felt it inappropriate that the non-aligned countries should disagree on it in an open meeting. He therefore requested the Chairman of the Non-Aligned Group to call a meeting for that afternoon and proposed the adjournment of the current meeting.

17. Mr. DZVAIRO (Zimbabwe) said that it was his understanding that the Committee had suspended its consideration of the draft provisional agenda the preceding week in order to enable certain delegations to consult their Governments, and that the Committee had intended to revert to the matter once those delegations had received their instructions. He recalled no other conditions being set for the resumption of consideration of the draft provisional agenda.

18. Mr. NAIMA-ARFA (Islamic Republic of Iran) said that while the wording of item 13 proposed by Indonesia was not fully satisfactory to his delegation, it would, nevertheless, go along with it so as not to hold up the work of the Committee.

19. Mr. KATSIGAZI (Uganda) supported the proposal to adjourn the meeting and to convene an informal meeting of the Non-Aligned Group that afternoon.

20. Mr. JAIN (India) said that the discussion of the draft agenda had been introduced in such a manner as to suggest that the matter had to be resolved there and then. It should have been possible to ascertain whether those delegations which had indicated that they needed to seek instructions from their Governments were in a position yet to state their Governments' views. That had not been done. The Indian delegation was not in a position to indicate agreement or disagreement with any aspect of the "non-paper" which had been circulated to the members of the Committee. While the representative of Sri Lanka had referred to the paper as a "non-aligned paper", what was, in fact, under discussion was no longer the paper of the non-aligned countries, but something new which had arisen out of their

(Mr. Jain, India)

discussions and was still under consideration. Since his delegation could not take a position on the new wording of item 13, he proposed that the Committee should move on to other matters, such as the draft Rules of Procedure, on which it also had to make progress. He rejected the insinuations of the representative of Sri Lanka concerning impediments from unexpected quarters. The Committee should reflect on the reasons for the withdrawal from it of various delegations, and ascertain what positions, taken by whom, had led to that result. The representative of Sri Lanka had also mentioned a new concept: the near-consensus. In his view, such a concept had no meaning. The Committee had had a near-consensus for years, but still had made no progress.

21. Mr. AL-ZADGALY (Oman) said that his delegation favoured adjournment of the meeting.

22. Mr. AL-ALFI (Yemen) withdrew his proposal for an adjournment, which had been intended as a means of helping the Indian delegation.

23. Mr. DZVAIRO (Zimbabwe) said that in order to make efficient use of its time, the Committee should continue with its work. Informal discussions could be held with the one delegation which had difficulties with the proposed new wording of item 13.

24. Mr. HAGOSS (Ethiopia) said that the prudent course would be to defer a decision on item 13 pending consultations with all interested parties with a view to producing a draft agenda acceptable to all.

25. Mr. JAYASINGHE (Sri Lanka) said that the Committee had not yet reached the point of crisis. There was no sense in adjourning the meeting and holding an emergency meeting of the Non-Aligned Group, especially since a meeting of that Group was already scheduled for the following day. The representative of India had called for flexibility, but the Chairman should also be allowed flexibility in deciding what items the Committee should take up. With regard to his earlier remarks on impediments, he had had no particular delegation in mind, but if India felt that the cap fitted, then India should wear it.

26. Mr. AL-ALFI (Yemen), supported by Mr. HADI (Indonesia) and Mr. JAYASINGHE (Sri Lanka) said that in its capacity as the preparatory committee for the Conference the Committee was called upon to make recommendations rather than decisions. He therefore proposed that the Committee should recommend the draft provisional agenda to the Conference on the Indian Ocean, as it appeared in the informal paper, leaving it to the Conference itself to decide which wording of item 13 it wished to adopt.

27. Mr. CURE (Mauritius) hoped that the optimism and momentum of the preceding week would not be lost. Since virtually all delegations were in agreement with the proposed new wording of item 13, there seemed to be little purpose in having a meeting of the Non-Aligned Group. Only if it proved impossible to overcome major disagreement should the Committee adopt the proposal by Yemen to submit both wordings of item 13 to the Conference.

28. Mr. JAIN (India) said that if the Committee wished to continue its deliberations, the Indian delegation was prepared to contribute constructively, without the kind of polemical debate which might confirm the opinion of those delegations which had withdrawn from the Committee that they had been right to do so.

29. Mr MAHMOOD (Pakistan) said that his delegation could support the proposed new wording of item 13.

30. Mr. HAGOSS (Ethiopia) said that it was still early in the preparatory process for the Conference. Since it was evident that one delegation had a problem with one of the items, it would be best to allow the Committee more time to produce an agreed agenda.

31. Mrs. MULAMULA (United Republic of Tanzania) asked the Chairman to make a ruling.

32. Mr. JAYASINGHE (Sri Lanka) said that the suggestion of the representative of Ethiopia would be acceptable to his delegation. However, it was imperative to keep in mind that the Committee's mandate was to complete the preparatory work in time for a conference to be held in 1991.

33. Mr. AL-ALFI (Yemen) said he feared that the proposal by the representative of Ethiopia would, indirectly, undo all the progress that had been made so far, even on those points which had already been agreed. He had no objection to allowing more time for discussion of item 13, but only if the Committee decided there and then that it recommend items 1 to 12 and 14 to 16 to the Conference.

34. Mr. PLATIS (Greece) said that it would be useful to have guidance from the Secretariat as to whether the Ad Hoc Committee could put forward two options for the wording of an item, to be decided on by the Conference itself.

35. Mr. ZIMBA (Mozambique) said that while the proposal of Yemen had merit, the Committee should strive to resolve the question of item 13, and only when that proved impossible should it adopt the approach of referring the two wordings to the Conference.

36. Mr. KRASULIN (Union of Soviet Socialist Republics) said that the Committee was at a critical juncture in its preparations for the Conference, and it therefore had to achieve practical results. Finalization of a draft provisional agenda would be a practical first step towards the convening of the Conference. The Ad Hoc Committee was not adopting a draft provisional agenda, but recommending it to the Conference. He supported the proposal of the representative of Yemen, while feeling at the same time that it would be preferable if the Committee could agree on a single version for the wording of item 13. For its part, the Soviet delegation preferred the wording put forward by the representative of Indonesia.

37. Mr. JAIN (India) said that much more had to be done before the Conference could be held than simply adopting the draft provisional agenda. There was, for example, the matter of the draft rules of procedure, not to mention substantive

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issues relating to the Conference. He wondered, therefore, why there was such inordinate haste to come to a decision on the draft provisional agenda alone. His delegation stood ready to accept in toto and at any time the draft framework of the provisional agenda in document A/AC.159/L.60, of which India was a co-sponsor. His delegation could not understand why the Committe should not try to reach a clear agreement on the draft provisional agenda in its entirety. There were three days remaining in the session, and further efforts should be made to reach such agreement.

The meeting rose at 1.05 p.m.

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/AC.159/SR.377
18 July 1990
ENGLISH
ORIGINAL: SPANISH

AD HOC COMMITTEE ON THE INDIAN OCEAN

SUMMARY RECORD OF THE 377th MEETING

Held at Headquarters, New York,
on Tuesday, 10 July 1990, at 4 p.m.

Chairman: Mr. PERERA (Sri Lanka)

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Draft provisional rules of procedure of the Conference

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 4 p.m.

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 44/120 (continued)

(a) WORK ON THE SUBSTANTIVE AND ORGANIZATIONAL ISSUES RELATED TO THE CONFERENCE ON THE INDIAN OCEAN IN ACCORDANCE WITH PARAGRAPHS 6, 7, 8, 9 AND 10 OF RESOLUTION 44/120 (continued) (A/AC.159/L.60 and A/AC.159/L.61)

(b) REPORT OF THE AD HOC COMMITTEE TO THE GENERAL ASSEMBLY AT ITS FORTY-FIFTH SESSION ON THE IMPLEMENTATION OF RESOLUTION 44/120 (continued)

1. Mr. KHERADI (Senior Adviser) responded to the question raised at the previous meeting by the representative of Greece as to whether the Ad Hoc Committee, in its capacity as a preparatory committee, could recommend to the Conference a provisional agenda with two alternative versions of one item. Firstly, the Ad Hoc Committee was free to determine its own methods of procedure, which meant that the question was more of a substantive than of a strictly juridical nature. On the one hand, it seemed that the Committee could transmit its recommendations on the agenda and other matters referred to it for consideration in the context of its preparatory functions as it deemed fit, but it should also be recognized that the Conference was entitled to act as it in turn deemed fit on the basis of the Committee's recommendation. Such a procedure would, moreover, be unusual and unorthodox, although the Committee could not be prevented from submitting a provisional agenda with two alternative versions of a single item, since it was at liberty to decide its own procedure.

2. If the Committee could agree on a provisional agenda containing the items on which consensus was possible, an indication could be included in the report to the Conference to the effect that there were two alternative versions of one specific item or an additional item and that the Committee was submitting them to the Conference for its consideration and approval.

3. The CHAIRMAN asked the Senior Adviser, with reference to the informal document dated 6 July 1990, which contained a draft provisional agenda for the Conference, what item 13 would be if that agenda were to be approved.

4. Mr. KHERADI (Senior Adviser) noted that the question was based on the assumption that an agenda would be approved with disagreement on only one item. The Committee would have to determine which items were the object of an agreement among its members and which items it wished to refer to the Conference. It would probably also be possible to inform the Conference that a debate had taken place on one or various additional items and to attach the relevant texts to the agenda. However, this was just a possibility and should not be taken as a personal recommendation.

5. Mr. PLATIS (Greece) wondered, in view of the Senior Adviser's explanation, whether it would be politically desirable for the Ad Hoc Committee, in its preparatory capacity, to indicate quite so openly that it had been unable for

(Mr. Platis, Greece)

20 years to decide how it wished to frame the most crucial item of the Conference's agenda. Such an admission could undermine the whole process: the Conference might simply opt to set the item aside as a "minor problem", which in fact it was not.

6. He therefore proposed, together with Mr. SOTIROV (Bulgaria), Mr. HADI (Indonesia) and Mr. HAGOSS (Ethiopia), that the problem should if possible be solved within the Committee, i.e. by adopting a single agreed agenda.

7. Mr. SOTIROV (Bulgaria) said that an attempt had been made at the previous meeting to introduce excessive haste into the debate; the most important thing was to reach an agreement during the current session.

8. Mr. HADI (Indonesia) asked the representative of Greece which of the two texts for item 13 he preferred.

9. Mr. HAGOSS (Ethiopia) asked the Chairman to sum up the current overall status of the agenda in the Committee.

10. Mr. JAYASINGHE (Sri Lanka) said that he agreed with the general feeling of the Committee and proposed that the debate on item 13 should be concluded, given that much time had already been devoted to it. He also requested that the Chairman should sum up the situation with respect to the other items.

11. Mr. PLATIS (Greece) said that he favoured the second alternative text for item 13, which had in fact been proposed by the non-aligned countries and which he had accepted, as had all the other representatives which supported it. He recalled that the representative of Australia had in the course of the previous week proposed the inclusion of the item adopted in the general debate and the elimination of the item which then bore the number nine and had then accepted the text of the first line of that item, namely, "Review of the situation in the Indian Ocean area". Rather than expressing a personal preference, he was following the basic line laid down by the Committee.

12. Ms. COURTNEY (Australia) said that, ideally, an agenda should not be approved if it contained an item in parentheses. Since items 13 and 14 were to some extent redundant, she proposed, given the informal consultations being held with a view to the adoption of a consensus text, that item 13 should be deleted, as she had already proposed, and that item 14 should be entitled "Review and consideration of principal elements ...". The Declaration of the Indian Ocean as a Zone of Peace (General Assembly resolution 2832 (XXVI)) contained all the elements to be found in the first text in parentheses (item 13), and deletion would not lead to the abandonment of any topic, because item 14 referred both to littoral and hinterland States and to the Ad Hoc Committee. Item 14 could therefore constitute the consensus text. Obviously, it would be up to the Committee or the Conference to decide at a later stage how many main committees would be established.

13. Mr. AL-ALFI (Yemen) recalled that the item under consideration had first been raised in 1984, while the idea of the Conference came up in 1979. To say that the

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item had been under discussion for the last 20 years was therefore to distort the facts. He offered to draft a consensus text which would be satisfactory to all and proposed that item 12 be followed simply by "Application of the Declaration of the Indian Ocean", in order that the Conference might decide what it wished to do.

14. From the formal point of view, the Committee was still considering document A/AC.159/L.60, because the "Draft provisional agenda of the United Nations Conference on the Indian Ocean", distributed on 6 July 1990, was still an unofficial document. He therefore proposed that the agenda be approved and analysis of item 13 postponed.

15. Mr. SHA Zukang (China) saw no point in attempting to force an agreement before all delegations had adequately refined their positions. The agenda of the Conference on the Indian Ocean had indeed been under discussion for many years: the end was in sight and a last effort was needed, in a spirit of mutual understanding, in order for work to be concluded.

16. Each country was entitled to defend its position but should also consider the interests of the majority. Thus, although the second version of agenda item 13 did not reflect his country's position, it would be prepared to accept that version in order not to hold up the Committee's work. It would be very difficult to continue making progress unless all delegations recognized the need to make mutual concessions.

17. Mr. JAIN (India) agreed with the representative of China that there was a need to set pressures aside and make an effort at co-operation, with a view to achieving the objectives of the Declaration.

18. The sincerity of those delegations which had expressed a desire to make progress was open to doubt, because consideration of the items on which an agreement was possible could have been concluded, leaving the other items for the following day.

19. The CHAIRMAN said that the Committee's efforts to reach an agreement on at least one of the items under consideration could not be considered a waste of time. Nevertheless, if delegations wished to continue their informal consultations, he was prepared to postpone consideration of item 13 until the following Thursday and to move on to another topic. No one was attempting to exert pressure in order to force an immediate decision but, since the Conference's agenda had been under discussion for eight years, agreement could not be postponed indefinitely.

20. Mr. JAIN (India) proposed that no specific date should be fixed for discussion of that topic, which depended not so much on the determination of representatives themselves as on the attitude of their Governments.

21. Mr. HADI (Indonesia) recalled that, in proposing the new formulation of item 13, his delegation had been seeking to reconcile the positions of all delegations.

22. He could not agree to the Australian proposal to delete item 13 and to retain only item 14. In fact, the content of the two items was different, since the former referred to the objectives of the Declaration itself, while the latter referred to the principal elements of the Indian Ocean as a zone of peace, which had been defined at the meeting of Littoral and Hinterland States of the Indian Ocean and at subsequent meetings of the Ad Hoc Committee.

23. Mr. JAYASINGHE (Sri Lanka) summed up the three proposals which had been made in the Committee. India was in favour of continuing consultations and of not setting any specific data for taking up item 13. Ethiopia wanted the Chairman to summarize the progress which had been made so far and to leave consideration of item 13 until a later date. Finally, Yemen was proposing that agreement should be reached on the other items of the draft provisional agenda and that both formulations of item 13 should be submitted to the Conference.

24. The delegation of Sri Lanka was opposed to postponing consideration of item 13 indefinitely. It could accept either of the other two proposals, although it preferred that of Yemen.

25. The CHAIRMAN recalled that he had suggested that consideration of item 13 should be put off until the current meeting in the hope that delegations would receive instructions from their Governments; however, that had not yet happened.

26. Mrs. MULAMULA (United Republic of Tanzania) supported by Mr. ALAKWAA (Yemen) asked the Chairman to propose an indicative programme of work for the last three days of the current session.

27. The CHAIRMAN suggested that Wednesday morning should be set aside for considering the Committee's draft report (A/AC.159/L.104) on which Ethiopia wished to make a few comments; in the afternoon work could begin on the draft provisional rules of procedure of the Conference (A/AC.159/L.61). On Thursday morning the Committee could resume and conclude its consideration of item 13 of the draft provisional agenda for the Conference, or, if delegations were still not ready to take it up, the Committee could leave that pending, and continue its consideration of the draft provisional rules of procedure.

28. Mr. JAIN (India) expressed the hope that the Committee would complete its consideration of organizational matters when it concluded its consideration of the draft provisional agenda and draft provisional rules of procedure of the Conference. According to its terms of reference, the Committee also must do the preparatory work in respect of the substantive aspects of the Conference, and those must be taken into account also in the programme of work. One of the documents on substantive issues which was before the Committee was the non-paper prepared by the Chairman of the Working Group, contained in document A/AC.159/L.93. The Committee must complete its consideration of that non-paper so that the paper could become an

(Mr. Jain, India)

official document. He proposed that consideration of the non-paper should be included in the programme of work.

29. Ms. COURTNEY (Australia) said that the Committee had had an interesting discussion at its current session but was losing sight of its objective, namely, to complete the preparatory work for the Conference. At its 1989 session, based on the statements which had been made, her delegation had had the impression that the Committee considered that its work on organizational matters was almost completed. At that session, the non-aligned countries had issued a joint statement, saying that the sufficient work had been done to permit the Conference to be held in Colombo in 1990 and that final decision on outstanding issues, both organizational and substantive, should be left to the Conference itself, not the Committee. The Committee's terms of reference did not include negotiations on substantive issues; that should be the responsibility of the Conference.

30. Mr. HAGOSS (Ethiopia) proposed that a provisional date should be set for consideration of the draft provisional agenda for the Conference, but that, in addition, the Chairman should hold consultations to determine whether there was sufficient consensus to enable the Committee to consider agenda item 13 which had given rise to debate. His was a compromise proposal.

31. Mr. JAYASINGHE (Sri Lanka), speaking on behalf of the Non-Aligned Movement, said that the position of those countries, which had been referred to by the representative of Australia, had not changed. He had no objection to the Ethiopian proposal; however, he recalled what the representative of Yemen had stated regarding the need to put in writing the progress made thus far by the Committee on the outstanding parts of the provisional agenda of the Conference, so that the valuable work done at the current session should not go to waste.

32. Mr. JAIN (India) said that holding negotiations and considering an issue were two different matters, although it could not be denied that negotiations should be left to the Conference, not the Committee. Although the Committee had, in the past, spent much time considering substantive aspects, so far it had only one informal document; that document must be considered thoroughly so as to have a clear position at the Conference. Consideration of substantive issues should begin as soon as possible at the current session.

33. The CHAIRMAN suggested that, as the representative of Yemen had proposed, the Committee should confirm its position on items 1 through 12 of the draft provisional agenda for the Conference, in respect of which there was no disagreement.

34. Mr. JAIN (India) proposed that the provisional agenda should be considered not at the present meeting but at a later meeting of the current session so as to give delegations time to take a position on the outstanding issues.

35. The CHAIRMAN asked whether there was any objection to the proposal of Yemen that the Committee should sum up its position concerning the draft provisional

(The Chairman)

agenda at the current meeting but that it should put off until a later meeting consideration of the disputed item 13.

36. Mrs. MULAMULA (United Republic of Tanzania) agreed that the Committee's position on the items approved thus far should be summarized, for the sake of consistency, since the Committee had also summarized, at the present session, its position on the draft provisional rules of procedure of the Conference.

37. Mr. JAIN (India) said that he agreed to all of the agenda items contained in the paper of the Working Group save items 12 and 13.

38. Ms. COURTNEY (Australia) proposed that the draft provisional agenda should not be taken up until further consultations had been held, with a view to achieving consensus on the provisional agenda as a whole prior to the conclusion of the current session. If no agreement could be reached, the Committee could follow the procedure proposed by the representative of Yemen.

39. Mr. JAYASINGHE (Sri Lanka) supported her suggestion.

40. The CHAIRMAN suggested that the draft provisional agenda should be taken up at the morning session on 12 July. If no agreement had been reached by then on item 13, it would be placed on record which items the Committee had adopted by consensus.

41. Mr. JAIN (India) agreed to the Chairman's proposal, provided that item 13 was included among those on which consultations would be held until the morning meeting on 12 July.

42. Ms. COURTNEY (Australia) repeated that there would be no sense in adopting only some parts of the provisional agenda for the Conference. The agenda should be adopted when agreement had been reached on all items. However, she would not oppose its adoption part by part if the Committee so wished.

43. Mr. HAGOSS (Ethiopia) said that it should be left to the Chairman to decide whether or not to take up item 13 of the draft provisional agenda for the Conference, depending on the degree of consensus reached during the consultations.

44. The CHAIRMAN said that he would meet on 11 July with the Bureau, after which he would have more specific suggestions to make to the Committee regarding the programme of work.

DRAFT PROVISIONAL RULES OF PROCEDURE OF THE CONFERENCE

45. Mr. JAIN (India), referring to rule 31 of the provisional rules of procedure of the Conference on the Indian Ocean, said that each rule had been considered separately, but that rules 31 and 32 were closely interrelated. He proposed that they should be considered together.

46. Mr. JAYASINGHE (Sri Lanka) said that his delegation would like to see a rule which expressed what was stated in rule 31. He also suggested that decisions on matters of procedure should be adopted by a simple majority of the representatives present and voting and that decisions on matters of substance should be taken by a two-thirds majority of the representatives present and voting.

47. Mr. MAHMOOD (Pakistan) reiterated the view of his Government, stated in its letter of 19 March 1985, to the effect that decisions on matters of substance should be adopted by a two-thirds majority and decisions on matters of procedure by a simple majority. Further, the determination of whether a matter was one of procedure or substance should also be made by a simple majority. The letter further indicated that, as in the case of the United Nations Conference on the Law of the Sea, the rules of procedure could indicate that everything possible should be done to adopt substantive parts of the Conference's report by consensus, but that that would not constitute a precedent for other conferences or meetings.

48. Mr. NOETZEL (German Democratic Republic) said that on 8 March 1985 his delegation had submitted a proposal which corresponded to the current wording of rule 31. With regard to the adoption of decisions, he agreed with the views expressed by other delegations.

49. Mr. JAIN (India) said that his delegation did not wish to submit amendments to article 31 and referred the Committee to document A/AC.159/1985/CRP.2, which contained its proposals relating to rule 32.

50. Mr. AL-ZADGALY (Oman) said that, when the matter had been discussed in 1985, it had been agreed that it would be necessary to adopt a flexible means of taking decisions. It had been decided at that time that the report of the Conference should be adopted by consensus, while matters of substance would require a two-thirds majority and matters of procedure a simple majority. His delegation thought that that was a logical method of work and recommended its acceptance.

51. Mr. MAHMOOD (Pakistan) drew the Committee's attention, so as to facilitate its work, to the decision taken at the meeting held on the previous day to consider rule 16 in conjunction with rules 31 and 32.

52. Mrs. MULAMULA (United Republic of Tanzania) proposed the merging in a single rule of rules 31 and 32. Rule 31 was incomplete by itself, since it did not specify what was to be done if no consensus was reached.

53. Mr. SHA Zukang (China) reiterated the general comments made by his delegation in document A/AC.159/1985/CRP.2, but indicated his willingness to consider proposals from other delegations.

54. Mr. JAYASINGHE (Sri Lanka) supported the proposal made by the United Republic of Tanzania to merge in a single rule rules 31 and 32, and, accordingly, withdrew his country's proposal contained in document A/AC.159/1985/CRP.2 relating to rule 31. He also supported the proposal by India that, should a consensus not be

(Mr. Jayasinghe, Sri Lanka)

reached, a period of 72 hours should be allowed to elapse before proceeding to a vote.

55. Mrs. MULAMULA (United Republic of Tanzania) said that the two rules in question were really only one, in view of which she proposed that they should be combined.

56. Mr. SHA Zukang (China) agreed with the proposal to combine in a single rule rules 31 and 32, with the exception of that part of rule 32 which was in square brackets, since it was redundant. He did not understand why the rule included the wording contained between brackets, and requested an explanation.

57. Mr. JAYASINGHE (Sri Lanka) agreed that rules 31 and 32 should be combined. Sri Lanka, taking into account the proposal made by the representative of the United Republic of Tanzania, withdrew its proposal relating to rule 31, contained in document A/AC.159/1985/CRP.2.

58. Mrs. MULAMULA (United Republic of Tanzania) said that, since no member of the Committee seemed to know why the wording between square brackets had been included, clarification should be sought from the legal experts who had worked with the Committee.

59. Mr. JAYASINGHE (Sri Lanka) agreed that the wording between square brackets was redundant. The Conference should adopt decisions by a simple majority in the case of matters of procedure and by a two-thirds majority in the case of matters of substance.

60. Mr. SHA Zukang (China) said that the two-thirds majority required in votes on matters of substance must include a majority of the countries participating in the Conference.

61. Mrs. MULAMULA (United Republic of Tanzania) said once again that the legal experts should be asked to explain why the wording between square brackets was there: although it might seem redundant, the legal experts must have had a reason for including it.

62. Mr. JAIN (India) agreed that matters of procedure should be decided by a simple majority and, with regard to matters of substance, proposed that all decisions should be adopted by consensus, whereas under the current draft provisional rules of procedure the latter would require only a two-thirds majority. He agreed with the deletion of rule 31, since it was covered by rule 32, paragraph 2, and of the text between brackets. Further, he supported the view that decisions adopted by a two-thirds majority required the support of a majority of the countries participating in the Conference.

63. Mr. JAYASINGHE (Sri Lanka) asked whether it had been proposed that the substantive parts of the report of the Conference should be adopted by consensus and matters of substance decided by a two-thirds majority. In his view, matters of

(Mr. Jayasinghe, Sri Lanka)

substance formed part of the substantive parts of the report. Accordingly, the question arose of whether all decisions on matters of substance should be adopted by consensus rather than by a two-thirds majority.

64. Mr. NOETZEL (German Democratic Republic) agreed that rules 31 and 32 should be combined, and asked what title would be given to the consequential new rule.

65. Mr. MAHMOOD (Pakistan) said that if rules 31 and 32 were being analysed together, rule 16 should also be considered, since they were related.

66. Mrs. MULAMULA (United Republic of Tanzania), in response to the representative of the German Democratic Republic, said that rules 31 and 32 referred to two separate matters, but that they could be combined in a single rule, which might be entitled "Adoption of decisions" or "Decision-making".

The meeting rose at 6.05 p.m.

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.159/SR.378
13 July 1990

ORIGINAL: ENGLISH

AD HOC COMMITTEE ON THE INDIAN OCEAN

SUMMARY RECORD OF THE 378th MEETING

Held at Headquarters, New York,
on Wednesday, 11 July 1990, at 11 a.m.

Chairman: Mr. PERERA (Sri Lanka)

CONTENTS

Implementation of General Assembly resolution 44/120 (continued)

(a) Work on the substantive and organizational issues related to the Conference on the Indian Ocean in accordance with paragraphs 6, 7, 8, 9 and 10 of resolution 44/120

(b) Report of the Ad Hoc Committee to the General Assembly at its forty-fifth session on the implementation of resolution 44/120

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 12 noon

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 44/120 (continued)

(a) WORK ON THE SUBSTANTIVE AND ORGANIZATIONAL ISSUES RELATED TO THE CONFERENCE ON THE INDIAN OCEAN IN ACCORDANCE WITH PARAGRAPHS 6, 7, 8, 9 AND 10 OF RESOLUTION 44/120

(b) REPORT OF THE AD HOC COMMITTEE TO THE GENERAL ASSEMBLY AT ITS FORTY-FIFTH SESSION ON THE IMPLEMENTATION OF RESOLUTION 44/120

Draft report (continued) (A/AC.159/L.104)

1. Mr. HADJI (Indonesia) said that his delegation was withdrawing the proposal it had made at the 376th meeting to add a reference in paragraph 3 to the Western countries, other than the three Western nuclear Powers which had expressed their intentions not to participate in the Committee's work.

2. The CHAIRMAN recalled that the representative of Yemen had proposed that the report should contain a reference to vacancies arising in the Committee as a result of the reunification of the two Yemens, and the withdrawal of three Western States.

3. Mr. YOSHIDA (Secretary of the Committee) said that, while the General Assembly had originally set a specific number for the membership of the Ad Hoc Committee, it had subsequently decided, by resolution 34/80, to enlarge the Committee through the addition of new members appointed by the President of the Assembly on the recommendation of the Committee itself.

4. Mr. JAIN (India) said that, in the light of the information provided by the Secretary, the membership of the Committee was no longer set at a specific number. Accordingly, the withdrawal of some States, or the merging of the two Yemens, did not automatically give rise to any vacancies.

5. Mr. NOETZEL (German Democratic Republic) said that according to General Assembly resolution 34/80, the composition of the Committee was to be decided by the General Assembly on the recommendation of the Committee itself. Consequently, the question of automatic vacancies did not arise.

6. Mrs. MULAMULA (United Republic of Tanzania) pointed out that there was no reference in the draft report to Sweden's attendance as an observer at the meetings of the Committee. In addition, the section of the draft report on preparatory work for the Conference gave the impression that only the spring meetings of the Ad Hoc Committee had taken place. She proposed that those omissions should be rectified.

7. The CHAIRMAN observed that there seemed to be general agreement that a distinction should be made between decisions on procedural matters, on the one hand, and substantive issues, on the other. With regard to voting, there was a proposal by India to replace the words "of the representatives present and voting" in rule 32 by the words "of the participants to the Conference".

8. Mr. MAHMOOD (Pakistan) recalled that his delegation had proposed that decisions on substantive issues should be taken by a two-thirds majority, and decisions on procedural matters by a simple majority. The question of whether a matter was procedural or substantive should be decided by a simple majority.

9. Mr. NAIMA-ARFA (Islamic Republic of Iran) endorsed the proposal by Pakistan.

10. Mrs. MULAMULA (United Republic of Tanzania) asked why, once it had been specified that decisions would be taken by a two-thirds majority of those present and voting, it was necessary to qualify that two-thirds majority further.

11. Mr. JAYASINGHE (Sri Lanka) said that his delegation had difficulties with the Indian proposal.

12. Mr. JAIN (India) said that abstaining was in fact a form of participation in the voting process. He therefore proposed adding the words "for the purpose" after the word "regarded" in the final sentence of rule 34.

13. Mr. JAYASINGHE (Sri Lanka), supported by Mr. HADI (Indonesia), Mr. DZVAIRO (Zimbabwe), Mr. KATSIGAZI (Uganda), Mr. ALAKWAA (Yemen) and Mr. ZIMBA (Mozambique), said that the wording of rule 34 was very clear and was patterned on rule 126 of the rules of procedure of the General Assembly. He favoured retaining that rule as it stood.

14. The CHAIRMAN said that there appeared to be general agreement to accept rule 34 as it stood.

15. Mr. JAIN (India) wondered whether the word "merely" in rule 39 had any particular significance or whether it could be deleted.

16. The CHAIRMAN said that the Secretary would clarify that point at a later time. As there seemed to be general agreement on rules 35 to 43, he invited members to proceed to consider section VIII.

Section VIII. Subsidiary bodies (rules 44 to 46)

17. Mr. HADI (Indonesia), referring to rule 44, recalled that he had proposed having one committee of the whole with three working groups to deal with the three substantive items included in the draft provisional agenda.

18. Ms. MULAMULA (United Republic of Tanzania) said that the Committee should not tamper with the wording of rule 44, which was designed to retain flexibility. The powers of the Conference should not be limited by specifying the number of committees or working groups it could establish.

19. Mr. JAYASINGHE (Sri Lanka) asked whether the term "Main Committees" included the committee of the whole.

20. The CHAIRMAN said that it did not.

21. Mr. JAYASINGHE (Sri Lanka) said that if the committee of the whole was not covered by rule 44 as formulated, the Ad Hoc Committee should consider whether the committee of the whole was necessary at all.

22. Mr. MAHMOOD (Pakistan) said it was his understanding that the point was to have three committees to discuss the three substantive items of the provisional agenda and to have three working groups for that purpose.

23. Mr. HADI (Indonesia) proposed that the Committee postpone a final decision on rule 44 until it had completed its discussion of the draft provisional agenda.

24. Mr. NOETZEL (German Democratic Republic) said that the point made by the preceding speaker was valid and suggested that the rule might be reworded to read: "The Conference may establish such subsidiary bodies as required."

25. Mr. JAIN (India) said that he agreed with the preceding speaker. The word "main" was not defined, and it seemed restrictive. The rule did not necessarily exclude the establishment of a committee of the whole, which was also a "main" committee. He therefore proposed that the rule be worded to read: "The Conference may establish such committees and working groups as required and such committees may also establish working groups". The Conference must have the flexibility to establish additional working groups and the rules of procedure should not limit the Conference in that respect.

26. Mr. JAYASINGHE (Sri Lanka) proposed that the reference to "Main Committees" should be deleted and that the rule should be reworded to read: "The Conference may establish a committee of the whole and other committees and working groups as required".

27. Mr. HADI (Indonesia) said that he disagreed with the previous speaker because the Committee knew that substantive issues would be discussed at the Conference. He supported the proposal made by the representative of the German Democratic Republic.

The meeting rose at 1 p.m.

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.159/SR.379
18 July 1990
ENGLISH
ORIGINAL: FRENCH

AD HOC COMMITTEE ON THE INDIAN OCEAN

SUMMARY RECORD OF THE 379th MEETING

Held at Headquarters, New York,
on Wednesday, 11 July 1990, at 3 p.m.

Chairman: Mr. PERERA (Sri Lanka)

CONTENTS

Implementation of General Assembly resolution 44/120 (continued)

(a) Work on the substantive and organizational issues related to the Conference on the Indian Ocean in accordance with paragraphs 6, 7, 8, 9 and 10 of resolution 44/120

(b) Report of the Ad Hoc Committee to the General Assembly at its forty-fifth session on the implementation of resolution 44/120

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 4 p.m.

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 44/120 (continued)

(a) WORK ON THE SUBSTANTIVE AND ORGANIZATIONAL ISSUES RELATED TO THE CONFERENCE ON THE INDIAN OCEAN IN ACCORDANCE WITH PARAGRAPHS 6, 7, 8, 9 and 10 OF RESOLUTION 44/120

(b) REPORT OF THE AD HOC COMMITTEE TO THE GENERAL ASSEMBLY AT ITS FORTY-FIFTH SESSION ON THE IMPLEMENTATION OF RESOLUTION 44/120

Draft report (A/AC.159/L.104)

1. Mr. AL-ALFI (Yemen), referring to the question of the participation of Yemen, proposed that the report should mention the note of the Secretary-General addressed to Member States to inform them of the reunification of Yemen and should simply indicate that the former Democratic Yemen no longer had a seat in the Committee. It was up to the General Assembly to decide whether or not there was a vacant seat to be filled. The Chairman of the Ad Hoc Committee should also notify the President of the General Assembly, as it was he who ultimately approved the membership of the Committee.

2. The same procedure should have been applied with respect to the three Member States that had decided to withdraw from the Ad Hoc Committee. After being informed by those countries, the Chairman of the Committee should have addressed a letter to the President of the General Assembly, because he was directly concerned by the decision. The report would simply list the remaining Member States in order to avoid taking a position on the question.

3. Ms. COURTNEY (Australia) wondered whether it was really necessary to follow such a procedure, since the countries concerned had informed the Secretary-General as well as the Committee itself of their intention to withdraw from the Committee, through the documents that had been circulated to its members.

4. Mr. AL-ALFI (Yemen) said that information transmitted indirectly was not enough. The fact that documents had been circulated to the Committee did not mean that the President of the General Assembly had automatically been officially informed. It was not a question of substance, but merely a formality.

5. Ms. COURTNEY (Australia) said she did not object in principle to that course of action, but still felt that the information submitted was sufficient.

6. Mr. JAIN (India), supporting that view, pointed out that, in that the Committee was a subsidiary body of the General Assembly, its documents were automatically documents of the Assembly, whose President was therefore necessarily aware of them. Moreover, the Committee's draft report referred, in paragraph 3, to the withdrawal of the three countries, and it was addressed to the General Assembly and therefore, ipso facto, to its President.

7. Mr. JAYASINGHE (Sri Lanka) said it was his understanding that the representative of Yemen simply wished to stress that the Committee was obliged to inform its parent body. He would leave the final decision to the Chairman.

8. Mr. AL-ALFI (Yemen) said that the notification procedure should not be confused with the information included in the report. The case in question involved sending a note in good and due form to the President of the General Assembly. When the countries were admitted to the Committee, they accepted the procedure whereby their candidacy was submitted to the President of the Assembly. It was not apparent why that should not apply equally to withdrawals.

9. Mr. HAGOSS (Ethiopia) said he felt that the question was one for the Chairman of the Committee to decide.

10. Mrs. MULAMULA (United Republic of Tanzania) felt that the report should nevertheless mention the three communications that the Member States concerned had sent to the Secretary-General and to the Ad Hoc Committee.

11. Mr. KRASULIN (Union of Soviet Socialist Republics) said that some delegations seemed to be indulging in systematic obstruction by diverting attention to secondary matters. He invited all members to show their goodwill so that the Committee could concentrate on its real work.

12. The CHAIRMAN suggested that the delegations should leave to his discretion the decision concerning the letter to be sent to the President of the General Assembly.

13. It was so decided.

Consideration of the draft provisional rules of procedure of the United Nations Conference on the Indian Ocean (continued)

Rules 44 (continued), 45 and 46

14. Mr. MAHMOOD (Pakistan), supported by Mr. HADI (Indonesia) and Mrs. MULAMULA (United Republic of Tanzania) proposed that the Conference should establish a committee of the whole, three main committees to consider the substantive questions on the agenda and such other subsidiary bodies as might be necessary. Additional clarifications could be included in the Committee's report to the General Assembly.

15. Ms. COURTNEY (Australia) felt that the established practice should be respected whereby conferences themselves decided, once they had met, on the number of working groups they intended to establish. There was therefore no need to amend rule 44, because it provided precisely for that possibility.

16. Mr. JAIN (India), supported by Ms. COURTNEY (Australia), said that the adjective "Main" preceding the word "Committees" in rule 44 was superfluous because it constituted a pointless transposition of the structure of the General Assembly. It should therefore be deleted.

17. Mr. JAYASINGHE (Sri Lanka) said that he had no objection to deleting the word "Main" but drew attention to the document submitted by the Movement of Non-Aligned Countries, which also referred to main committees.

18. Mr. JAIN (India) reminded members that rule 1 of the initial version of the draft had provided that each delegation would include no more than five representatives. That provision had been considered restrictive and a proposal had therefore been made to amend it, a proposal which his delegation had supported; but rule 45 was even more restrictive, in that each State could be represented by only a single representative in each of the committees.

19. Mr. PLATIS (Greece), supported by Mr. JAIN (India), said that, while the aim was to make the Conference simpler in structure than the General Assembly, it was unfair to limit the number of representatives in each committee of the Conference to a single representative or adviser. In his view, rule 45 was superfluous. If the other members so desired, however, the first sentence of the rule could be kept, while deleting the second.

20. Mr. AL-ALFI (Yemen), supported by Mr. JAIN (India), said deletion of the adjective "Main" might create confusion, in that rule 46 also referred to the Credentials Committee and the General Committee.

21. Mrs. MULAMULA (United Republic of Tanzania), supported by Mr. AL-ZADGALY (Oman), felt that, since the Credentials Committee and the General Committee had been established under other sections of the draft rules of procedure, there was no risk of confusion.

22. Mr. HADI (Indonesia) wondered whether, if the word "Main" was deleted from rule 44, it would not have to be deleted from the entire draft rules of procedure.

23. Mrs. MULAMULA (United Republic of Tanzania), supported by Mr. AL-ALFI (Yemen), suggested that all references to the number of representatives on each main committee should be deleted.

24. Mr. AL-ALFI (Yemen) proposed that in rule 45 "may be represented" should be replaced by "shall be represented".

25. Mr. HAGOSS (Ethiopia), supported by Ms. COURTNEY (Australia), said that the Committee was spending far too much time on secondary matters. In the case in question it would suffice to follow the rules of procedure of the General Assembly, and particularly rule 100, which provided that each Member might be represented by one person on each Main Committee. There was therefore no need to amend rule 45.

26. Ms. COURTNEY (Australia), supported by Mr. JAYASINGHE (Sri Lanka), proposed that rule 46 should not be amended either.

27. The CHAIRMAN suggested that, given the risk of confusion, the word "Main" should be retained everywhere so as to avoid all ambiguity in respect of rule 46. He therefore suggested that rules 44, 45 and 46 should not be amended.

28. It was so decided.

Rule 47

29. Mr. AL-ZADGALY (Oman) wanted to know whether the "languages of the Conference" were both working languages and official languages.

30. Mr. JAYASINGHE (Sri Lanka), supported by Mr. AL-ALFI (Yemen), felt that the rule should read the "official languages of the Conference and its subsidiary bodies".

31. Mr. JAIN (India) did not favour amending rule 47 because for purposes of that rule no distinction could be drawn between the Conference and its subsidiary bodies.

32. Mr. AL-ALFI (Yemen) recalled that rule 51 of the rules of procedure of the General Assembly mentioned the official and the working languages of the General Assembly, its committees and its sub-committees.

33. Mr. HAGOSS (Ethiopia) said that since the Conference was to be held away from Headquarters there should be flexibility regarding the list of working languages even if that meant not taking the provisions of rule 51 of the rules of the procedure of the General Assembly literally. To maintain six languages as the official and working languages would create tremendous difficulties for the organizers of the Conference in terms of translation and interpretation services. Rule 47 might simply refer to "official" languages, by adding that adjective, leaving the question of working languages to the discretion of the organizers on the basis of the Conference's needs.

34. The CHAIRMAN suggested that the question of the languages of the Conference should be resolved during the consideration of articles 47 to 51.

35. It was so decided.

The meeting rose at 5.15 p.m.

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.159/SR.380
16 July 1990

ORIGINAL: ENGLISH

AD HOC COMMITTEE ON THE INDIAN OCEAN

SUMMARY RECORD OF THE 380th MEETING

Held at Headquarters, New York,
on Thursday, 12 July 1990, at 10.30 a.m.

Chairman: Mr. PERERA (Sri Lanka)

CONTENTS

Implementation of General Assembly resolution 44/120 (continued)

(a) Work on the substantive and organizational issues related to the Conference on the Indian Ocean in accordance with paragraphs 6, 7, 8, 9 and 10 of resolution 44/120

(b) Report of the Ad Hoc Committee to the General Assembly at its forty-fifth session on the implementation of resolution 44/120

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The meeting was called to order at 11.20 a.m.

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 44/120 (continued)

(a) WORK ON THE SUBSTANTIVE AND ORGANIZATIONAL ISSUES RELATED TO THE CONFERENCE ON THE INDIAN OCEAN IN ACCORDANCE WITH PARAGRAPHS 6, 7, 8, 9 AND 10 OF RESOLUTION 44/120

(b) REPORT OF THE AD HOC COMMITTEE TO THE GENERAL ASSEMBLY AT ITS FORTY-FIFTH SESSION ON THE IMPLEMENTATION OF RESOLUTION 44/120

1. Mr. MAHMOOD (Pakistan) said that he hoped that those members of the Committee which had decided to withdraw would reconsider their decision; the remaining members had made suggestions as to how the Ad Hoc Committee might continue its work without their participation and that of certain other States. His own delegation would continue to support the Committee in its preparatory work for the Conference. In that connection Pakistan had proposed holding the Conference in stages, the first to be held after agreement had been reached on intraregional issues. Pakistan was encouraged by the positive trends in the international situation, which, it was to be hoped, would have a positive influence on the Committee's work.

Draft provisional agenda for the United Nations Conference on the Indian Ocean (continued)

2. Mr. JAIN (India) said that his delegation continued to have difficulties with items 12 and 13 of the draft provisional agenda, and that, with regard to item 13, it still preferred the first title proposed, which corresponded to the wording used in document A/AC.159/L.60. Accordingly, he proposed the deletion of item 12, and, taking into account the Indonesian proposal, the deletion in the second title under item 13 of the words "area" and "of the objectives".

3. Mr. AL-ZADGALY (Oman) said that his delegation supported the Indonesian proposal under item 13.

4. Mr. HADI (Indonesia) said that it was common practice for a general debate to be held at international conferences. With regard to the proposed amendments to the second title under item 13, the deletion of "area" would narrow the geographical scope of the Declaration, and his delegation could not agree to the deletion of the word "objectives". India wanted to keep the original title of item 13 because of the reference to the great Powers, whereas that point was adequately covered by paragraph 2 of the Declaration.

5. Mr. JAYASINGHE (Sri Lanka) said that India should reconsider its position. There was nothing unusual in holding a general debate at a United Nations conference, particularly when representatives were at the ministerial level. It should also be noted that the third preambular paragraph of General Assembly resolution 2832 (XXVI) referred to the Indian Ocean area, and it was quite clear that the thrust of that resolution was not limited to the Indian Ocean itself.

6. Mr. KRASULIN (Union of Soviet Socialist Republics) said that every major conference had a general debate, a practice which would be particularly important in the case of the Conference on the Indian Ocean since ministers would clearly want to deal with broad issues. Deletion of the word "objectives" under item 13 would narrow the scope of the agenda unduly.

7. It should be recalled that there were two aspects to making the Indian Ocean a zone of peace: those relating to the great Powers and other principal users of the Ocean's sea lanes, and those relating to the countries of the Indian Ocean region. The Soviet Union had advanced specific ideas concerning the obligations of the respective parties. The Committee might ponder what would happen if the great Powers left the Indian Ocean, other than as users of sea lanes, but there was still no zone of peace, in which circumstances the countries of the region would need to consider their obligations concerning, inter alia, nuclear and other weapons of mass destruction, and the peaceful settlement of disputes. His delegation had doubts concerning the wording proposed by India.

8. Mr. JAIN (India) said that his proposed amendment was not intended to prevent ministers from making statements but only to confine those statements to the specific items on the agenda. His proposal to delete the word "area" in agenda item 13 would not restrict the discussion because even the Declaration did not refer to the "area" of the Indian Ocean. The Ad Hoc Committee should not prejudge the decisions of the Conference itself and the limits of the Indian Ocean still had to be defined. Deletion of the words "of the objectives" would make the text more to the point and would avoid diffusing the issue or distracting from the main objective of the Declaration. His purpose was to find language that would be acceptable to everyone and also be in keeping with the Declaration and its aims.

9. Mr. MAHMOOD (Pakistan) said that his delegation could not accept the amendments proposed by India. In 1985 India itself had proposed the phrase "the Indian Ocean area" instead of "the Indian Ocean region" and the word "area" had been accepted as a compromise. His delegation had accepted that compromise in order to facilitate the adoption of previous General Assembly resolutions, all of which had focused on the convening of the Conference. As for the proposal to delete the words "of the objectives", he said that the first requirement for the implementation of the Declaration was a comprehensive articulation of the principles and objectives of the peace zone concept. He could therefore not agree that those principles and objectives had already been defined in the Declaration itself. Moreover, the corner-stone of the peace zone concept was the security of the regional States, which required the establishment of a comprehensive set of principles taking into account both regional and extraregional threats. Furthermore, it would be impossible to retreat from the definition of the limits of the zone adopted by the Meeting of the Littoral and Hinterland States of the Indian Ocean.

10. Ms. COURTNEY (Australia) said that it would be normal procedure to have a general debate and that ministers would not attend the Conference if they could only speak on one limited aspect. She also could not agree to delete the phrase "of the objectives", which reflected a compromise. Balance must be retained and regional and extraregional issues included.

11. Mr. SHA Zukang (China) said that in the interests of expediting the Ad Hoc Committee's work, his delegation could accept the second title of agenda item 13. He also agreed that it was important to retain the general debate and that the Ad Hoc Committee could not restrict the scope of ministers' statements. There was room for further negotiation on that point. He drew attention to paragraph 1 of the Declaration and noted that there was no consensus as to what the limits of the Indian Ocean were. In his view, the Indian Ocean as a zone of peace should include the Indian Ocean itself and also the littoral and hinterland areas.

12. Mr. DZVAIRO (Zimbabwe) said that to delete the item entitled "General debate" was unacceptable because it would be inconsistent with the nature and aims of the Conference. The wording of agenda item 13 was the product of much reflection and debate and India's proposed amendment would change its meaning and intention. He therefore favoured retention of the second title.

13. Mr. HADI (Indonesia) said that India had agreed to the use of the word "area" in the first title for agenda item 13 and therefore wondered why it could not accept the use of the word in the second title, the one proposed by his delegation.

14. Mr. ZIMBA (Mozambique) said that he supported inclusion of the item entitled "General debate". His country's minister would not go to the Conference if that item was not on the agenda. He preferred the first title for agenda item 13 but could accept the second one by way of compromise.

15. Mr. MAHMOOD (Pakistan) said that "limits" must be defined so as to cover the territory of the littoral and hinterland States with a view to eliminating military interference in the area by extraregional States.

16. Mr. ALAKWAA (Yemen) said that there seemed to be general agreement to retain agenda item 12 and to adopt the Indonesian version of agenda item 13 and he asked the representative of India to withdraw his amendments.

17. Mr. NAIMA-ARFA (Islamic Republic of Iran) said that no country in the Indian Ocean area had felt the threat to its territorial integrity on the part of the great Powers as strongly as his own, but that for the sake of consensus he would accept the Indonesian version of agenda item 13 and hoped that other delegations would follow suit. As for agenda item 12, he agreed that it was the established practice of United Nations conferences to have one agenda item on general debate and it would therefore be wrong to restrict the statements of ministers. The item should therefore be retained.

18. Mr. CURE (Mauritius) suggested that, as a way of resolving the Comittee's present difficulty, item 13 might be reworded to read: "Review of the situation in the Indian Ocean area in the context of the Declaration of the Indian Ocean as a Zone of Peace and its objectives".

19. Mr. AL-ZADGALY (Oman) said that he could not accept the notion that the Conference should not include a general debate. In order for the Conference to define the zone of peace, there was a need for a general exchange of views on

(Mr. Al-Zadgaly, Oman)

exactly what a zone of peace was. It was not feasible to limit the foreign ministers in advance as to what they could or could not say at the Conference.

20. Mr. SANGA (United Republic of Tanzania) appealed to the representative of India to join in the general agreement on items 12 and 13 so that the Ad Hoc Committee could move on to other matters.

21. Mr. ZIMBA (Mozambique) pointed out that no one had responded to the suggestion by the representative of Mauritius.

22. Mr. JAYASINGHE (Sri Lanka) said that no purpose would be served by continuing the present discussion. India was the only country which had a problem with the wording of item 13 proposed by Indonesia. He appealed to the representative of India to reconsider his position. As an alternative the Committee could adjourn the meeting and discuss the matter further informally.

23. Mr. HADI (Indonesia) said that he could see no difference between his own proposal and that of the representative of Mauritius.

24. Mr. ALAKWAA (Yemen) supported the suggestion to adjourn the meeting.

25. The CHAIRMAN informed the Committee that the co-ordinator of the Non-Aligned Group had called a short meeting of the Group for 3 p.m. that afternoon.

26. Mr. JAIN (India) reminded the Committee that in addition to organizational matters it also had a mandate with regard to substantive aspects relating to the Conference. It would be inappropriate, therefore, to curtail the time available to the Committee for discussion of the substantive issues. It would be better for the meeting of the Non-Aligned Group to be held at some other time.

27. Mr. JAYASINGHE (Sri Lanka) explained that the purpose of the meeting of the Non-Aligned Group was to review the Group's position and consider responses to a draft resolution that was currently being circulated.

28. The CHAIRMAN said that the Committee would hold its next meeting following the adjournment of the meeting of the Non-Aligned Group in the afternoon. It would thus have ample time for discussion of substantive issues.

The meeting rose at 12.45 p.m.

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.159/SR.381
26 July 1990
ENGLISH
ORIGINAL: SPANISH

AD HOC COMMITTEE ON THE INDIAN OCEAN

SUMMARY RECORD OF THE 381st MEETING

Held at Headquarters, New York,
on Thursday, 12 July 1990, at 3.30 p.m.

Chairman: Mr. PERERA (Sri Lanka)

CONTENTS

Implementation of General Assembly resolution 44/120 (continued)

(a) Work on the substantive and organizational issues related to the Conference on the Indian Ocean in accordance with paragraphs 6, 7, 8, 9 and 10 of resolution 44/120 (continued)

(b) Report of the Ad Hoc Committee to the General Assembly at its forty-fifth session on the implementation of resolution 44/120 (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Department of Conference Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 5.10 p.m.

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 44/120 (continued)

(a) WORK ON THE SUBSTANTIVE AND ORGANIZATIONAL ISSUES RELATED TO THE CONFERENCE ON THE INDIAN OCEAN IN ACCORDANCE WITH PARAGRAPHS 6, 7, 8, 9 AND 10 OF RESOLUTION 44/120 (continued)

(b) REPORT OF THE AD HOC COMMITTEE TO THE GENERAL ASSEMBLY AT ITS FORTY-FIFTH SESSION ON THE IMPLEMENTATION OF RESOLUTION 44/120 (continued) (A/AC.159/L.93)

1. The CHAIRMAN recalled that the 19 issues and principles contained in document A/AC.159/L.93 were not exhaustive and that others could be added.

2. Mr. PLATIS (Greece) asked whether, should the Committee decide to adopt the non-paper, the latter would be included in the report of the Ad Hoc Committee to the General Assembly, pointing out that it was the third version of the paper and that the debate was still open. He asked whether the other versions would cease to exist if the third one were to be adopted.

3. Mr. JAYASINGHE (Sri Lanka) said that the Working Group's aim, in submitting the paper to the Committee, had been to enable the latter to continue improving the work done so far. The issues and principles, and the elements that they covered, reflected agreement in some cases, differences of view in others, while yet others reflected no position; the aim, at the present stage, was to preserve the excellent collective work contained in the paper.

4. Ms. COURTNEY (Australia) said that the document on issues and principles had been discussed at length during recent sessions but that each State was not yet in a position to accept all the elements it contained. For that reason she would gladly listen to the explanations which the representative of Greece had asked for.

5. Her delegation was, on the whole, in agreement with most of the elements contained in the paper, but it had been surprised that anyone should propose that the Ad Hoc Committee should proceed to adopt a paper which had not been ready at the last session, for there was not enough time available at the present session to conclude the work. However, her delegation remained flexible and, if other delegations considered that the preparatory work had been completed, it might perhaps be advantageous to adopt the paper as a description of the Committee's views. If, on the other hand, delegations felt that the preparatory work should continue, there was no justification for adopting the paper at the current session.

6. The CHAIRMAN asked delegations to suggest some way of preserving the sanctity of document A/AC.159/L.93 and of the work that had gone into its preparation.

7. Ms. COURTNEY (Australia) said that the issue was not one of preserving the sanctity of the paper but of establishing what purpose would be served by changing its character; what was needed was to complete consideration of all issues, whether

(Ms. Courtney, Australia)

procedural or substantive, with a view to finalizing the Committee's work. Since the paper was not yet the object of consensus, its informal character should not be changed.

8. Mr. PLATIS (Greece) agreed with the representative of Australia and reaffirmed that the sanctity of the paper was not in danger; however, if the paper was to be made into an official document, much time would have to be devoted to reaching agreement on each of the 19 issues and principles. Changing the nature of the paper would also mean having to negotiate; if that were done the Committee would, at most, have a fourth version of the paper.

9. In the view of his delegation, many of the issues and principles contained in document A/AC.159/L.93 were acceptable; however, the debate on its contents remained open. He did not wish to deal with the purpose of, or justification for, the proposal to change the character of the informal paper, but simply wished to ask the other members of the Committee to state their views concerning the general thrust of the 19 issues and principles.

10. The CHAIRMAN said that, starting from the basis that 19 issues and principles had been defined and that others might be added, he would like to know whether delegations considered that there could be negotiations in the Ad Hoc Committee, in its capacity as preparatory Committee, on the issues and principles or whether all negotiations should be left for the Conference.

11. Mrs. MULAMULA (United Republic of Tanzania) recalled that, in a statement made on 5 July 1989 (A/AC.159/SR.351, para. 3), the Chairman of the Committee had stated that the Working Group had already identified and expanded the open-ended list of substantive elements relating to the implementation of the Declaration of the Indian Ocean as a Zone of Peace. He had also said that the Committee was not the proper body to negotiate substantive issues relating to the implementation of the Declaration. Its mandate with regard to the preparatory work for the convening of the Conference was to discuss substantive issues and principles with the aim of elaborating elements that might be taken into consideration during the subsequent preparation of a draft final document of the Conference. He had added that the substantive issues identified and elaborated by the Working Group provided a sound basis for the substantive work to be undertaken at the Conference. Bearing those views in mind, she agreed with the representative of Australia that the preparatory work had not yet been completed and that the informal paper should not be submitted to the Conference as a reflection of the Committee's views. Other elements could still be outlined and further elaborated. If there were any issues that had arisen or elements that had been defined since the most recent session of the Committee that delegations wished to add to the paper, it could be done right away; however, since that did not appear to be the case, the best thing would be to preserve the non-paper as a basis for continuing the preparatory work.

12. Her delegation had participated fully in the preparation of the issues and principles contained in the paper, had studied them at length and had agreed to them. In its view, the Ad Hoc Committee should adopt the report of the Chairman of

(Mrs. Mulamula, Tanzania)

the Working Group, which was contained in the annex to document A/AC.159/L.93, since it clarified the present status of the work of the Working Group on the non-paper which, in turn, was contained in the appendix to the document.

13. Mr. JAYASINGHE (Sri Lanka) said that, in his capacity as Chairman of the Working Group of the Ad Hoc Committee on the Indian Ocean and in response to the request made by the Chairman of the Ad Hoc Committee, he had submitted the report on the present status of the work of the Working Group on substantive issues, which was contained in the annex to document A/AC.159/L.93. The appendix to that document contained the third version of the non-paper prepared by the Chairman of the Working Group, which was also part of the report. The Ad Hoc Committee had not stated how it was to deal with the report nor had it instructed the Working Group to continue its work. The problem was a procedural one. The Ad Hoc Committee could not simply receive the report of the Chairman of the Working Group but would have to deal with it in whatever manner it deemed appropriate.

14. At the same time he agreed with the representative of the United Republic of Tanzania that the mandate of the Working Group was to elaborate substantive elements or aspects of the preparatory work that might be submitted to the Committee. That being so, it was for the Ad Hoc Committee to decide what should become of the paper. He agreed entirely with the Chairman that the Ad Hoc Committee could not negotiate on the substantive issues to be included in the final document of the Conference. The function of the Ad Hoc Committee was to carry out the preparatory work and, as far as possible, to facilitate consideration of the substantive issues; such consideration was the task of the Conference.

15. That did not mean that the Committee had completed its preparatory work; indeed, if it wished to continue discussing issues and principles it could do so. What it could not do was to receive the report of the Working Group, including the non-paper, without making any comment. A proper means must be found to enable the Ad Hoc Committee to receive the report and include it in its work without overstepping the bounds of its mandate, namely, without negotiating the issues to be included in the final documents of the Conference.

16. Ms. COURTNEY (Australia) said that, unfortunately, she still did not see any basis whatsoever for changing the nature of the informal paper, since no progress had been made since it had last been issued. When the Ad Hoc Committee had considered the paper at its July 1989 session, it had been concluded that the paper could only be an informal one.

17. At the same time, as had been pointed out, if the Committee considered that it had completed its preparatory work and was ready to include the paper in the report to be transmitted to the Conference it should do so. She herself did not believe that the Committee had reached that point. If one looked carefully at the 19 issues and principles and the elements contained in each of them, it was clear that there were different types of concepts; for example, principle 1 reaffirmed respect for and observance of the Charter of the United Nations, but other parts of the document contained recommendations, views or opinions and if the document was to be

(Ms. Courtney, Australia)

consistent it would be necessary to study the nature of the elements contained in each of the issues and principles. That would perhaps be done later on; but at the present session there seemed no justification whatever for changing the nature of the paper, which had been negotiated by consensus in the Ad Hoc Committee.

18. Mr. PLATIS (Greece) said that the paper had been agreed on by consensus and that there was a report which had been circulated as a Committee document; without going into the substance of the issues under discussion, he proposed that matters should be left as they were and that the paper should remain informal. It might, perhaps, be worth negotiating and discussing other aspects, but there should be no negotiating or changing the informal nature of the document.

19. Mr. JAIN (India) said that the work should be based on previous agreements and understandings and he recalled the steps that had been taken, starting in 1988 on the basis of documents A/AC.159/L.85 and L.88, that had led to the preparation of the document now before the Committee (A/AC.159/L.93). While it was clear that the non-paper reflected convergences of views on certain elements, it also showed differences on others. There was not enough time to resume consideration of the paper at the current session but the Working Group could return to it some other time, perhaps at the following session. Delegations concerned could present their proposals and views in the form of a conference room paper.

20. Mr. JAYASINGHE (Sri Lanka) agreed with the views expressed by the representative of India. The paper before the Committee was the product of great efforts, but the Working Group had felt that it had come to the point where the issues involved should be considered more formally, so as to ensure that what had been achieved was not lost, as had happened with some procedural matters. In order to adopt a constructive approach it would be necessary to delimit certain elements and to know precisely what the Committee's functions were in relation to the preparations for the Conference. That was a matter which the Committee must consider at length.

21. Mr. AL-ZADGALY (Oman) recalled that the Working Group had carried out the task which had been entrusted to it and had submitted some substantive elements. Everyone knew that there were points of agreement and points of disagreement, advantages and disadvantages in the views set forth. It might be a good idea for the Committee to ask Member States to submit their views on some of the more important elements in detail and in writing, to the Chairman of the Working Group, and for their proposals to be dealt with at the following session.

22. Mr. JAYASINGHE (Sri Lanka) suggested that the problematic elements should, for the time being, be dealt with by the Committee rather than by the Working Group.

23. Mr. JAIN (India) supported the proposals made by the representatives of Oman and Sri Lanka.

24. The CHAIRMAN said that, if he heard no objection, he would take it that members of the Committee agreed that countries should be asked to submit their comments in writing prior to the next session, and that the items contained in the appendix to document A/AC.159/L.93 should be considered by the Committee rather than by the Working Group.

25. It was so decided.

26. Mr. JAYASINGHE (Sri Lanka) proposed that the meeting should be made informal so that members could talk about the programme of work.

The meeting was suspended at 6 p.m. and resumed at 6.35 p.m.

The meeting rose at 6.40 p.m.

UNITED NATIONS

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General Assembly

Distr.
GENERAL

A/AC.159/SR.382
17 July 1990

ORIGINAL: ENGLISH

AD HOC COMMITTEE ON THE INDIAN OCEAN

SUMMARY RECORD OF THE 382nd MEETING

Held at Headquarters, New York,
on Friday, 13 July 1990, at 10.30 a.m.

Chairman: Mr. PERERA (Sri Lanka)

CONTENTS

Implementation of General Assembly resolution 44/120 (continued)

(a) Work on the substantive and organizational issues related to the Conference on the Indian Ocean in accordance with paragraphs 6, 7, 8, 9 and 10 of resolution 44/120

(b) Report of the Ad Hoc Committee to the General Assembly at its forty-fifth session on the implementation of resolution 44/120

This record is subject to correction.

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Any corrections to the record of this meeting and of other meetings will be issued in a corrigendum.

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The meeting was called to order at 11.20 a.m.

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 44/120 (continued)

(a) WORK ON THE SUBSTANTIVE AND ORGANIZATIONAL ISSUES RELATED TO THE CONFERENCE ON THE INDIAN OCEAN IN ACCORDANCE WITH PARAGRAPHS 6, 7, 8, 9 AND 10 OF RESOLUTION 44/120

(b) REPORT OF THE AD HOC COMMITTEE TO THE GENERAL ASSEMBLY AT ITS FORTY-FIFTH SESSION ON THE IMPLEMENTATION OF RESOLUTION 44/120

Draft framework of the provisional agenda for the United Nations Conference on the Indian Ocean (continued)

1. Mrs. MULAMULA (United Republic of Tanzania), replying to a question from the Chairman, said that at the informal consultations a compromise had been reached on the text of agenda item 13, which now read as follows: "Review of the situation in the Indian Ocean area in the context of the implementation of the Declaration of the Indian Ocean as a Zone of Peace and the achievement of its objectives".

2. Mr. JAIN (India) said that it was his understanding that agreement had been reached on a particular formulation. However, in so far as he could recall, the text read out by the previous speaker had not been proposed.

3. Ms. COURTNEY (Australia) said that, as she understood it, the text read out by the Tanzanian representative was precisely the formulation which reflected the compromise reached, and it was that text which her Government had instructed her to support.

4. Mr. JAYASINGHE (Sri Lanka) concurred with the representative of Australia and expressed appreciation to the Tanzanian representative for her constructive proposal, which had also been approved by his Government.

5. Mr. KRASULIN (Union of Soviet Socialist Republics) said that those participating in the informal consultations had agreed to communicate to their Governments the text read out by the Tanzanian representative. His Government had also agreed to that wording.

6. Mr. ALAKWAA (Yemen) said that the amendment presented by the Tanzanian representative had been read out to all participants in the informal consultations, including the representative of India, who had appeared to be in full agreement with it. He invited the Indian representative to explain his reasons for changing his mind.

7. Mrs. MULAMULA (United Republic of Tanzania) expressed appreciation to the previous speakers for reinforcing her earlier statement. The text which she had read out had indeed been accepted by the Indian representative during the informal consultations, and was not her delegation's invention.

8. Mr. AL-ZADGALY (Oman) wondered whether the representative of India could inform the Committee as to his recollection of the agreed text.

9. Mr. JAIN (India) said that various proposals had been made during the informal consultations, including one by the Indonesian representative. That proposal, for which he had his Government's approval, read as follows: "Review of the situation in the Indian Ocean area in the context of the implementation of the Declaration of the Indian Ocean as a Zone of Peace and its objectives". The words "the achievment of" had not been included. If delegations still had differences with regard to that wording, the meeting should be suspended.

10. Mrs. MULAMULA (United Republic of Tanzania) invited the Indonesian representative to read out his proposal.

11. Mr. HADI (Indonesia) read out a text identical to the one which had been presented by the Tanzanian representative, and said that he had not made any changes to it.

12. Mr. AL-ZADGALY (Oman) supported the suggestion to suspend the meeting.

13. Mr. KRASULIN (Union of Soviet Socialist Republics) said that he had no objection to suspending the meeting, but suggested that it should be resumed promptly at 12 noon.

14. Mr. ALAKWAA (Yemen) said that it was unnecessary to suspend the meeting. The amendment proposed by the representative of Indonesia was acceptable to his delegation.

15. Mr. JAYASINGHE (Sri Lanka) said that, in the interests of fairness, the Committee should accede to the Indian request, taking into account the suggestion made by the Soviet representative.

16. Ms. COURTNEY (Australia) concurred with the suggestions made by the previous speakers. It should be noted that the proposal read out by the Indian representative referred to the implementation of the Declaration and its objectives. At the informal meeting, the representative of India had rejected a proposal to refer to the implementation of objectives, and she found it difficult to understand his change of position.

17. Mr. SHA Zukang (China) said that many proposals had been made during the informal consultations, including, at one point, a proposal to refer to "objectives" without mention of the words "the achievement of". None the less, towards the end of the meeting, everyone had agreed to the addition of those words. He appealed to the representative of India to reconsider his proposal.

The meeting was suspended at 11.45 a.m. and resumed at 12 noon.

18. The CHAIRMAN said that, if he heard no objection, he would take it that the Ad Hoc Committee accepted the wording of item 13 as formally proposed by the representative of the United Republic of Tanzania.

19. It was so decided.

20. The CHAIRMAN said that, if he heard no objection, he would also take it that the Committee accepted the title of item 12 "General debate".

21. It was so decided.

22. The CHAIRMAN said that, if he heard no objection, he would take it that the Ad Hoc Committee wished to adopt the draft provisional agenda.

23. It was so decided.

24. Mr. JAYASINGHE (Sri Lanka) said that the document should be either included in the body of the Committee's report or annexed to it.

25. Mr. GORAJEWSKI (Poland), supported by Mr. SOTIROV (Bulgaria) and Mr. ZIMBA (Mozambique), said that since the document represented a significant achievement it should be included in the body of the report.

26. Mr. HADI (Indonesia), supported by Mrs. MULAMULA (United Republic of Tanzania), agreed that there was no need to issue it as a committee document if it was included in the Committee's report.

27. Mr. KHERADI (Senior Adviser) said that the formal decision to adopt the agenda as the provisional agenda of the Conference would be reflected in the report and that it would be consistent with previous practice to issue it first as a committee document.

28. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to issue the agenda as document A/AC.159/L.106.

29. It was so decided.

Draft resolution A/AC.159/L.105

30. Mr. JAYASINGHE (Sri Lanka), introducing draft resolution A/AC.159/L.105 on behalf of the States members of the Committee which were members of the Movement of Non-Aligned Countries, said that it was based, largely, on General Assembly resolution 44/120. He drew attention to the tenth and eleventh preambular paragraphs and poionted out that paragraphs 7 to 10 had been updated where appropriate. The draft resolution expressed the desire of the non-aligned countries to work towards the implementation of the Declaration, taking into account the concerns expressed by other States, and he hoped that it would be adopted by consensus.

31. Ms. COURTNEY (Australia) said that she had sent a copy of the draft resolution to her Government for approval. Given that the draft resolution referred to paragraph 22 of the document on international security and disarmament in the final documents of the Ninth Conference of Heads of State or Government of Non-Aligned Countries, it was unlikely that the States which had withdrawn from the Ad Hoc Committee would be disposed to return in time to participate in the conference that was scheduled for 1992. Her delegation would find it acceptable if the draft resolution were appended to the draft report to the Committee, and referred to explicitly as a document produced by the Non-Aligned Group.

32. Mr. KRASULIN (Union of Soviet Socialist Republics) asked what period of time was meant by "subsequent" in the phrase "during the subsequent preparation of a draft final document of the Conference" in operative paragraph 6.

33. Mr. JAYASINGHE (Sri Lanka) said that the Non-Aligned Group would do all possible, short of abandoning political positions which they held to be essential, to encourage those members which had withdrawn from the Committee to return. He would have no objection to the deletion of the word "subsequent" from operative paragraph 6, and felt that it would be a good idea for the draft resolution to be appended to the Report as a Non-Aligned Group document. An explanation would be given in the body of the Report.

34. Ms. COURTNEY (Australia) asked if delegates really felt that "significant" progress had really been made in the preparations for the conference, as was stated in operative paragraph 5.

35. MR. JAYASINGHE (Sri Lanka) noted that different delegations would have different interpretations of the degree of progress that had been made. If the draft resolution was to remain a Non-Aligned Group document, it could not be changed to incorporate the views of the representative of Australia.

36. Mr. KRASULIN (Union of Soviet Socialist Republics) said that since the draft resolution was being sponsored by the Non-Aligned Group, he could do no more than express a request for greater clarity in two areas.

37. Firstly, according to paragraph 6, currently worded, the task of the Ad Hoc Committee was merely to draw up certain elements, which some other body would take into consideration when preparing the draft final document of the Conference. He asked who this other body would be. It had been proposed that the draft final document of the Conference should be prepared by the Ad Hoc Committee. That was part of the Committee's mandate. He proposed that the last three lines of operative paragraph 6 after the word "principles" should be redrafted to read "with the aim of the preparation of a draft final document of the Conference", so as to make that clear.

38. He was not sure whether the duration of the preparatory sessions provided for in operative paragraph 7 would be sufficient to allow all the necessary work to be completed. Accordingly, he proposed that the words "the first with a duration of one week and the second" in the second line should be deleted and that the word

(Mr. Krasulin, USSR)

"each" should be inserted after "weeks", in the third line, so that paragraph 7 would begin "Requests the Ad Hoc Committee to hold two preparatory sessions during 1991, with a duration of two weeks each".

39. Mr. HADI (Indonesia) said that he would have no objection to the changes proposed by the representative of the Union of Soviet Socialist Republics in operative paragraph 6, but that he was not sure whether two sessions of two weeks each would in fact be necessary. However, if all delegations agreed to the proposed change to paragraph 7 his delegation would do likewise.

40. Mr. JAYASINGHE (Sri Lanka), speaking as co-ordinator of the Non-Aligned States Members of the Ad Hoc Committee, said that the Soviet comment on paragraph 6 was a substantive one and that his group wished to reflect on it. The document could be reviewed and improved in subsequent consultations, but it should be retained as it stood for the time being.

41. Ms. COURTNEY (Australia) said that she would need instructions from her Government before agreeing to the amendments proposed by the Soviet representative to paragraph 7.

42. Mr. KRASULIN (Union of Soviet Socialist Republics) said that he could accept the text as it stood. His delegation had not intended to make any formal proposal.

43. Mr. SHA Zukang (China) said that the Soviet observations did not resolve the question of who should draft the final document of the Conference. In the view of his delegation the task of the Ad Hoc Committee was to elaborate elements and principles of the final document but the actual preparation of that document should be left to the Conference itself. His delegation could accept paragraph 7.

44. The CHAIRMAN said that, if he heard no objection, he would take it that the Ad Hoc Committee wished to have draft resolution A/AC.159/L.105 annexed to its draft report.

45. It was so decided.

The meeting rose at 1.10 p.m.

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/AC.159/SR.383
24 July 1990
ENGLISH
ORIGINAL: FRENCH

AD HOC COMMITTEE ON THE INDIAN OCEAN

SUMMARY RECORD OF THE 83rd MEETING

Held at Headquarters, New York,
on Friday, 13 July 1990, at 3 p.m.

Chairman: Mr. PERERA (Sri Lanka)

CONTENTS

Consideration of the draft report of the Ad Hoc Committee on the Indian Ocean

Closure of the session

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Chief, Official Records Editing Section, Department of Conference Services, room DC2-750, 2 United Nations Plaza.

Any corrections to the records of this meeting and of other meetings will be issued in a corrigendum.

The meeting was called to order at 3.55 p.m.

CONSIDERATION OF THE DRAFT REPORT OF THE AD HOC COMMITTEE ON THE INDIAN OCEAN (A/AC.159/L.104)

1. The RAPPORTEUR noted that the draft report in document A/AC.159/L.104 was a purely factual account of the Committee's proceedings up to and including its 1990 spring session. It could be supplemented on the basis of the informal text before the Committee, which contained the amendments and additions proposed in the light of the Committee's discussions.

At the invitation of the Chairman, the Rapporteur read out, paragraph by paragraph, the amendments and additions to the draft report.

Paragraph 1

2. The RAPPORTEUR said that no amendment to paragraph 1 had been proposed.

3. Mr. JAYASINGHE (Sri Lanka) said that paragraph 1 should mention the July session, i.e., the current one, of the Ad Hoc Committee. He wondered, however, whether that should be done in paragraph 1.

4. The RAPPORTEUR pointed out that paragraph 1 summarized the provisions of General Assembly resolution 44/120 of 15 December 1989 and that there was no change in the proposed text.

5. The CHAIRMAN suggested that paragraph 1 should be adopted without amendment.

6. It was so decided.

Paragraph 2

7. A proposal had been made to fill in the blanks in the first and second sentences with the numbers "383" and "20", respectively, and to delete the last sentence.

8. The CHAIRMAN proposed that paragraph 2, as amended, should be adopted.

9. It was so decided.

Paragraph 3

10. The RAPPORTEUR said that, in the light of the Committee's discussions and consultations with the representative of Yemen on the wording concerning the merging of the two Yemens, several amendments and additions to the text were proposed. "(A/45/213, A/45/215 and A/45/214)" should be added in the third line after "Secretary-General". In the fifth line, the text following "Indian Ocean." should be replaced by the following: "They also sent the letters to the Chairman

(The Rapporteur)

of the Ad Hoc Committee informing him of the withdrawals of their Governments from the Ad Hoc Committee (A/AC.159/L.100, A/AC.159/L.99 and A/AC.159/L.101). The Secretary-General, in his note dated 21 May 1990 [1990 Yemen], communicated to the Ad Hoc Committee on the Indian Ocean a note dated 19 May from the Ministers for Foreign Affairs of the Yemen Arab Republic and the People's Democratic Republic of Yemen regarding the formation on 22 May 1990 of a single sovereign State called the 'Republic of Yemen'. Accordingly, the seat of the People's Democratic Republic of Yemen is no longer in the Ad Hoc Committee. The remaining members of the Ad Hoc Committee are 45, and they are as follows:".

11. After the list of countries in paragraph 3 of document A/AC.159/L.104, a sentence should be added, to read: "In accordance with paragraph 2 of General Assembly resolution 34/80 B of 11 December 1979, Sweden has continued as an observer of the Ad Hoc Committee.".

12. Ms. COURTNEY (Australia) said that in the seventh line of the informal text "withdrawals" should be replaced by "withdrawal".

13. Mr. ALAKWAA (Yemen) proposed that in the eleventh and twelfth lines of the informal text the words "regarding the formation ... of a single sovereign State" should be replaced by the words "regarding the reunification ... in a single sovereign State". The proposal reflected the country's historical background. The word "formation" indicated the beginning of a political development, whereas Yemen had always been united and therefore the term "reunification" should be used.

14. Mrs. MULAMULA (United Republic of Tanzania) proposed that the last line of the informal text should be amended to read: "Sweden continued to attend the meetings of the Ad Hoc Committee as an observer".

15. Mr. GORAJEWSKI (Poland), supported by Mr. SOTIROV (Bulgaria), proposed that the sentence beginning on the fourteenth line should be replaced by the sentence in document A/AC.159/L.104 preceded by the word "Accordingly". The sentence would therefore read as follows: "Accordingly, the Ad Hoc Committee is now composed of the following 45 Member States".

16. The words "remaining members" were inappropriate because they implied that something was missing, whereas the point was simply to indicate the number of States members of the Committee after the changes referred to in paragraph 3 of the revised version submitted by the Rapporteur.

17. Mr. SOTIROV (Bulgaria) proposed that in the seventh line the words "withdrawal of their Governments" should be replaced by the words "withdrawal of their delegations" because the three representatives in question had addressed themselves to the Chairman of the Ad Hoc Committee rather than to the Secretary-General.

18. Ms. COURTNEY (Australia), referring to the proposal made by the representative of Poland, said that she far preferred its wording to that of the informal text submitted by the Rapporteur, provided that the word "Accordingly" was omitted (because it already appeared at the beginning of the previous sentence) so that the new version would read: "Accordingly, the seat of the People's Democratic Republic of Yemen is no longer in the Ad Hoc Committee and the Ad Hoc Committee is now therefore composed of the following 45 Member States:". As for the proposal made by the representative of Bulgaria, it was her understanding that it was not the delegations but rather the Governments of the Member States that had withdrawn from the Ad Hoc Committee. The responsibility for withdrawing lay with the Governments.

19. Mrs. MULAMULA (United Republic of Tanzania) proposed the words "they withdrew their membership from the Committee".

20. Mr. GORAJEWSKI (Poland) said that the suggestion by the representative of Australia was acceptable. The penultimate sentence of the text would therefore read: "The Ad Hoc Committee therefore is now composed of the following 45 Member States:".

21. The CHAIRMAN, replying to the question raised by Mr. HADI (Indonesia) concerning the words in brackets in the ninth line ([1990 Yemen]), said that it was a symbol used by the Secretary-General in his note.

22. Ms. COURTNEY (Australia) said that in the amendment proposed by the representative of Yemen, the phrase "reunification ... in" should be replaced by "reunification ... into".

23. The CHAIRMAN, replying to a question raised by Mrs. MULAMULA (United Republic of Tanzania), explained that the words "formation" and "reunification" were those of the Ad Hoc Committee and not of the Secretary-General. What had occurred was indeed a reunification, as the representative of Yemen had indicated. He therefore suggested that the Committee accept that amendment as well as the proposal of a grammatical nature made by the representative of Australia to use the singular "withdrawal" rather than the plural "withdrawals".

24. It was so decided.

25. The CHAIRMAN suggested that the penultimate sentence of the informal text should be amended as proposed by the representative of Poland.

26. It was so decided.

27. The CHAIRMAN proposed that the last sentence of the informal text should be amended as proposed by the representative of Tanzania.

28. It was so decided.

29. The CHAIRMAN noted that Mr. Sotirov (Bulgaria) was withdrawing his proposal to replace the words "withdrawal of their Governments" by the words "withdrawal of their delegations".

30. Mr. JAYASINGHE (Sri Lanka) proposed the words "withdrawal of their membership from the Committee".

31. Ms. COURTNEY (Australia) felt that there could be agreement on the words "their withdrawal from the Committee".

32. The CHAIRMAN proposed that the Committee should accept the proposal made by the representative of Australia.

33. It was so decided.

34. The RAPPORTEUR read out the text of paragraph 3 as orally amended:

> "On 6 April 1990, the Permanent Representatives of France, the United Kingdom of Great Britain and Northern Ireland and the the United States of America to the United Nations addressed letters to the Secretary-General (A/45/213, A/45/215 and A/45/214) and informed him that their Governments, as of that date, were withdrawing from the Ad Hoc Committee on the Indian Ocean. They also sent letters to the Chairman of the Ad Hoc Committee informing him of their withdrawal from the Committee (A/AC.159/L.100, A/AC.159/L.99 and A/AC.159/L.101). The Secretary-General, in his note dated 21 May 1990 [1990 Yemen], communicated to the Ad Hoc Committee on the Indian Ocean a note dated 19 May from the Ministers for Foreign Affairs of the Yemen Arab Republic and the People's Democratic Republic of Yemen regarding the reunification on 22 May 1990 into a single sovereign State called the 'Republic of Yemen'. Accordingly, the seat of the People's Democratic Republic of Yemen is no longer in the Ad Hoc Committee. The Ad Hoc Committee is therefore composed of the following 45 Member States:" (existing list of the members remains as in document A/AC.159/L.104).
>
> "In accordance with paragraph 2 of General Assembly resolution 34/80 B of 11 December 1979, Sweden continued to attend the meetings of the Ad Hoc Committee as an observer."

35. The CHAIRMAN proposed that the Committee should adopt paragraph 3 as orally amended.

36. It was so decided.

Paragraphs 4 to 8

37. The RAPPORTEUR said that he had no proposed amendment to those paragraphs of the draft report.

38. The CHAIRMAN suggested that paragraphs 4 to 8 should be adopted without amendment.

39. It was so decided.

Additional paragraphs

40. The RAPPORTEUR proposed the addition of a number of paragraphs to section B of the report on the preparatory work for the convening of the Conference on the Indian Ocean.

41. A new paragraph 9 should be added to read:

"On 3 July, replies from States members of the Ad Hoc Committee to the letter dated 10 May 1990 from the Chairman in pursuance of the decision taken by the Ad Hoc Committee on 20 April 1990 were circulated as document A/AC.159/L.103."

42. The CHAIRMAN proposed that new paragraph 9 should be adopted without amendment.

43. It was so decided.

44. The RAPPORTEUR proposed the addition of a new paragraph 10 to read:

"During 16 formal meetings from 2 to 13 July (368th-383rd meetings), the Committee undertook consideration of item 5 of its agenda with the agreement concerning the organization of work."

45. The CHAIRMAN proposed that new paragraph 10 should be adopted without amendment.

46. It was so decided.

47. The RAPPORTEUR proposed the addition of a new paragraph 11 to read:

"From its 370th through 382nd meetings from 5 to 13 July, the Committee considered a draft provisional agenda and a draft provisional rules of procedure of the United Nations Conference on the Indian Ocean (A/AC.159/L.60, A/AC.159/L.61, A/AC.159/L.74 and A/AC.159/L.89)."

48. Mr. ZIMBA (Mozambique) proposed that the formula "draft provisional agenda" should be replaced by "framework of a draft provisional agenda" in paragraph 11 in order to reflect the exact wording used in document A/AC.159/L.60. The same applied to paragraph 13.

49. It was so decided.

50. The RAPPORTEUR read out the proposed new paragraph 12:

"At its 381st meeting, on 12 July, the Committee considered the report of the Chairman of the Working Group of the Ad Hoc Committee presented at its 356th meeting on 12 July 1989, contained in document A/AC.159/L.93, and decided to continue its consideration in its future meetings."

51. Mr. AL-ZADGALY (Oman) said he thought that the Committee had decided at a previous meeting that the Chairman would send a letter to members to solicit the views of their Governments on the elements included in document A/AC.159/L.93.

52. The CHAIRMAN said that he had already written to the Member States and had received very few replies. Countries would be able to submit their views if they wished, but that required no particular intervention on his part.

53. Mr. JAYASINGHE (Sri Lanka) added that the Governments had already been consulted several times. The Working Group had also had the views of those Governments before it when it had considered the 19 points.

54. Mr. JAIN (India) said he, too, thought that it was necessary to send another communication to all members of the Committee. Besides, no decision had been taken in that connection. The Committee had previously adopted two proposals, the ones submitted by the delegations of Oman and of Sri Lanka. It was enough to include them, as adopted, in the report.

55. Mr. AL-ZADGALY (Oman) said that his delegation was not trying in any way to force the Chairman's hand. It wished, however, to recall that the Committee had indeed decided to obtain more detailed comments on the elements identified in document A/AC.159/L.93 in order to consider them at its next session. The point was to show what attention had been given to substantive questions during the preparatory work. The language used in paragraph 12 might imply that the Governments would submit comments. It was up to the Committee to decide whether the paragraph should be amended or left as it was.

56. Mr. PLATIS (Greece) proposed the addition, at the end of paragraph 12, of the words "..., inter alia, inviting further comments or views by Member States to be addressed to the Chairman of the Ad Hoc Committee".

57. Paragraph 12, as amended, was adopted.

58. The RAPPORTEUR submitted the following paragraph 13 for the Committee's approval:

"At its 382nd meeting, on 13 July, the Committee further considered a draft provisional agenda for the United Nations Conference on the Indian Ocean (A/AC.159/L.60), and adopted a provisional agenda for the United Nations Conference on the Indian Ocean (A/AC.159/L.106)."

59. Mr. PLATIS (Greece) proposed, in paragraph 13, the phrase "a draft provisional agenda for the United Nations Conference on the Indian Ocean" should be replaced by the word "it", in order to avoid repetition.

60. Mr. ZIMBA (Mozambique) suggested that it should be replaced by the phrase "and adopted it as a provisional agenda for the United Nations Conference on the Indian Ocean".

61. Mr. HAGOSS (Ethiopia) supported the wording proposed by the representative of Mozambique, as it reflected the qualitative change involved in the transition from "draft framework of a provisional agenda" to "provisional agenda".

62. Mr. GORAJEWSKI (Poland) said that he preferred the current wording, for the same reason.

63. Mr. ALAKWAA (Yemen) pointed out that numerous amendments had been presented with regard to the draft framework, and suggested the phrase "adopted it as a provisional agenda, as amended".

64. The CHAIRMAN suggested that the formula "and subsequently adopted it as a provisional agenda" would adequately reflect the transition between the draft framework and the provisional agenda.

65. Mr. GORAJEWSKI (Poland) objected to that suggestion, as the word "it" was inaccurate with reference to the draft framework. It was not the draft framework which had been adopted, but the provisional agenda, as substantially amended.

66. The CHAIRMAN suggested the following wording:

> "At its 382nd meeting, on 13 July, the Committee further considered the draft framework of a provisional agenda for the United Nations Conference on the Indian Ocean contained in document A/AC.159/L.60, and adopted a provisional agenda (A/AC.159/L.106)."

67. Paragraph 13, as amended, was adopted.

68. Mr. RAKOTONDRAMBOA (Madagascar), Rapporteur, suggested the addition of a paragraph 14, to read as follows: "The provisional agenda for the United Nations Conference on the Indian Ocean reads as follows:", referring to the provisional agenda as it appeared in document A/AC.159/L.106.

69. Mr. JAYASINGHE (Sri Lanka), referring to item 4 of the provisional agenda, said that the confirmation of the Secretary-General of the Conference was unnecessary, in view of the provisions of the draft rules of procedure. Many delegations appeared to share that view.

70. Ms. COURTNEY (Australia) said that she had no objection to deleting item 4 of the provisional agenda. She also felt that there should be no comma in the wording of item 13.

71. The CHAIRMAN suggested that item 4 of the provisional agenda and the comma in item 13 should be deleted, and that all the items should be renumbered accordingly.

72. It was so decided.

73. Mr. RAKOTONDRAMBOA (Madagascar), Rapporteur, proposed the addition of a paragraph 15 and a paragraph 16 in section C, to read as follows:

> "15. At its 376th meeting, on 10 July, the Rapporteur of the Committee, Mr. Noël Rakotondramboa (Madagascar) introduced the draft report of the Committee contained in document A/AC.159/L.104.
>
> "16. At its 378th, 379th and 383rd meetings, on 11 and 13 July, the Committee considered the draft report contained in document A/AC.159/L.104."

74. Paragraphs 15 and 16 were adopted.

75. Mr. RAKOTONDRAMBOA (Madagascar), Rapporteur, proposed the addition of a paragraph 17, a paragraph 18 and a paragraph 19. Paragraphs 17 and 18 would be included in section C and would read as follows:

> "17. At its 382nd meeting, the representative of Sri Lanka, on behalf of the non-aligned States members of the Ad Hoc Committee, introduced a draft resolution (A/AC.159/L.105), which the Ad Hoc Committee then considered.
>
> "18. At the 383rd meeting, on 13 July, the Committee adopted its draft report of the Ad Hoc Committee contained in A/AC.159/L.104, as orally amended."

Paragraph 19 would be included in part III, entitled "Conclusions", and would read as follows:

> "19. At its 382nd meeting, on 13 July, the Committee considered and decided to append to the report of the Ad Hoc Committee the text of a draft resolution, contained in document A/AC.159/L.105, which had been submitted by the non-aligned States members of the Ad Hoc Committee as a basis for further negotiations."

76. Mr. PLATIS (Greece), drew attention to a redundancy in paragraphs 17 and 19 and suggested that they should be combined or that paragraph 17 should be deleted.

77. Mr. JAYASINGHE (Sri Lanka) said that the two paragraphs could be combined or placed side by side. Paragraph 18 would then be moved to part III entitled "Conclusions".

78. Mrs. MULAMULA (United Republic of Tanzania) said that she had initially considered it more logical for paragraph 17 to be included in section B, but that she was prepared to accept the suggestion made by the representative of Sri Lanka.

79. Mr. HADI (Indonesia) suggested that paragraphs 17 and 19 should be replaced by the following text:

> "At its 382nd meeting, the representative of Sri Lanka, on behalf of the non-aligned States members of the Ad Hoc Committee, introduced a draft resolution (A/AC.159/L.105), which the Ad Hoc Committee then considered and agreed to append to the report."

80. Mr. GORAJEWSKI (Poland) suggested that the phrases "which the Ad Hoc Committee then considered" in paragraph 17 and "At its 382nd meeting, on 13 July" in paragraph 19 should be deleted, and that the words "The Committee considered it and decided to append it to the report" should be added at the end of paragraph 17.

81. Mr. PLATIS (Greece) suggested that the formula "as a basis for further negotiations", which had been agreed to earlier, should be reinserted. The new paragraph would then read as follows:

> "At its 382nd meeting, on 13 July, the Committee considered the text of a draft resolution (A/AC.159/L.105) introduced by the representative of Sri Lanka on behalf of the non-aligned States members of the Ad Hoc Committee and decided to append it to the report of the Committee as a basis for further negotiations."

82. Mr. GORAJEWSKI (Poland) withdrew his proposal and endorsed the suggestion made by the representative of Greece, taking into account also the amendment proposed by the representative of Sri Lanka.

83. Mr. NAIMA-ARFA (Islamic Republic of Iran) suggested that the word "negotiations" should be replaced by the word "consideration" in the text proposed by the representative of Greece.

84. The CHAIRMAN suggested that the amendment proposed by the representative of Greece should be adopted, with the phrase "as a basis for further negotiations" being replaced by "with a view to giving it further consideration". Paragraphs 17 and 19 would be combined and paragraph 18 would appear in part III entitled "Conclusions", in lieu of paragraph 19.

85. It was so decided.

86. The CHAIRMAN asked whether the Committee wished to make any amendments to the text of the draft resolution contained in document A/AC.159/L.105 which was to be appended to the report.

87. Mrs. MULAMULA (United Republic of Tanzania), supported by Mr. HADI (Indonesia), said that the text of the draft resolution, when so appended, should remain as it appeared in document A/AC.159/L.105.

88. Mr. JAYASINGHE (Sri Lanka) pointed out that there had been no amendments to the draft resolution.

89. The CHAIRMAN suggested that the draft resolution in A/AC.159/L.105 should be annexed to the report.

90. It was so decided.

91. The CHAIRMAN suggested that the whole draft report of the Committee (A/AC.159/L.104), as orally amended, should be adopted.

92. It was so decided.

CLOSURE OF THE SESSION

93. Mr. KRASULIN (Union of Soviet Socialist Republics) said that the work of the Committee had been fruitful in the current year despite the withdrawal of three members and the non-participation of certain other States. The remaining members had continued their work in a constructive way and had kept the Committee in existence. For the first time, the Committee had made full use of the time available to it. It had completed its study of the draft agenda of the Conference and of the major part of the rules of procedure, and all the organizational questions were largely resolved.

94. In the coming year, the Committee would have to take up the question of greatest interest to its members, including those absent, namely the drafting of the final document of the Conference. The return of the three major maritime Powers which were currently absent would certainly make it easier to resolve the questions concerning the creation of a zone of peace in the Indian Ocean. The Soviet Union had submitted comments on the substance and form of the final document of the Conference, and China had also submitted a constructive and precise proposal. The Soviet Union called on all delegations to study those proposals so that questions of substance could be examined right from the start of the next session. The observations made on that subject should be passed on to all members of the Committee. His delegation felt that the Committee should keep up its current pace, and perhaps even hold two sessions each of two weeks. His delegation hoped that its views would be taken into consideration when consultations resumed on the draft resolution to be submitted to the General Assembly.

95. Ms. COURTNEY (Australia) said that in the aftermath of the withdrawal of three member States and the non-participation of certain others, the Committee had shown a very constructive attitude. The current year had been marked by a period of self-examination, because the Committee had not been able to reach consensus in the previous year. The Australian and Greek delegations would strive to re-establish a consensus among the international community with regard to the Ad Hoc Committee.

96. Mr. HAGOSS (Ethiopia) said that the withdrawal of certain member States had plunged the Committee into uncertainty as to how to go on with its work. The Committee had shown great determination, as demonstrated by its adoption of the provisional agenda for the Conference, and would have to show the same determination in its forthcoming work.

97. Mr. ALAKWAA (Yemen) expressed his regret at the ill-timed withdrawal of the three maritime Powers and hoped that they would reconsider their decision and co-operate in making the Indian Ocean a zone of peace for all mankind. The Ad Hoc Committee must pursue its efforts to achieve the objectives of the Declaration of 1979.

98. Mr. HADI (Indonesia) said that during the current session, the first since the three member States had withdrawn, the Committee had demonstrated flexibility and solidarity while going through a difficult time.

99. Mr. SHA Zukang (China) said that despite its difficulties, the Committee had made progress in the current session and that all delegations had shown a co-operative and constructive attitude. He hoped that that attitude would be evident in the future, and that at the next session the Committee would be able to complete its consideration of the rules of procedure of the Conference and prioritize the 19 principles.

100. Mrs. MULAMULA (United Republic of Tanzania) said that the current session had been crucial for preservation of the Ad Hoc Committee and the performance of its mandate. However, her delegation felt that substantive issues could not be resolved at the Committee level, and had to be made part of the agenda of the international Conference, in which all the States Members of the United Nations would be able to take part. She was pleased that the draft agenda of the Conference had been adopted.

101. The CHAIRMAN said that during the current session the members of the Committee had clearly demonstrated their political will and commitment to go ahead with the preparatory work. The decision to hold the Conference on the Indian Ocean in 1981 had been taken by the General Assembly in 1979, and had been supported by 126 Member States, with 14 abstentions. If the Conference had been held in 1981 as scheduled, there had been a possibility of non-participation by some countries, including the three Member States which had now withdrawn from the Committee, since they had been among those which had abstained. The absence of those three States and of the others which were not participating, should not hinder the work of the Committee or prevent it from fulfilling the mandate given to it by the General Assembly. However, he would pursue the dialogue with those States and strive to persuade them to rejoin the Committee.

102. Any multilateral agreement reached at the Indian Ocean Conference might not be the best document acceptable to each State, but it should conform with the larger interests of the international community and contribute to enhanced security for the States within the zone of peace and to international peace and security as a whole. There could be room at a future date for improvements in the document produced by the Conference. In the circumstances, the Ad Hoc Committee should gear all its efforts towards the holding of the Conference as mandated. It was his firm belief that, while the mandate of the Committee allowed it to identify and elaborate substantive issues, negotiations on them would go beyond that mandate.

(The Chairman)

103. During the current session, the Committee had considered and adopted by consensus a provisional agenda to be submitted to the Conference. Despite that very satisfactory result, time constraints had prevented it from concluding a complete reading of the rules of procedure. However, a summation of the rules where there was agreement and the different viewpoints where there was none had been prepared by the Secretariat. The document gave a clear indication of where further work was required. The progress made had thus been significant. The Committee had to make every effort to conclude all its preparatory work within the time constraints. If necessary, procedural questions and substantive questions not fully resolved could be submitted to the Conference for a final decision.

104. The Committee had also considered the 19 elements identified by the Chairman of the Working Group and contained in the appendix to document A/AC.159/L.93. In that regard the Committee had decided that its members could submit proposals in writing on any additional points that might be considered or could elaborate on the existing points. However, negotiations on the elements were not permissible, since the Committee had not been entrusted with a negotiating mandate. In view of the fact that the members of the Committee had expressed a desire to do further work in preparation for the Conference and since there were indications that they desired the Conference to be held in 1992, he had contacted the host country, which had given its assurance that it was prepared to host the Conference in either 1991 or 1992.

The meeting rose at 6.10 p.m.